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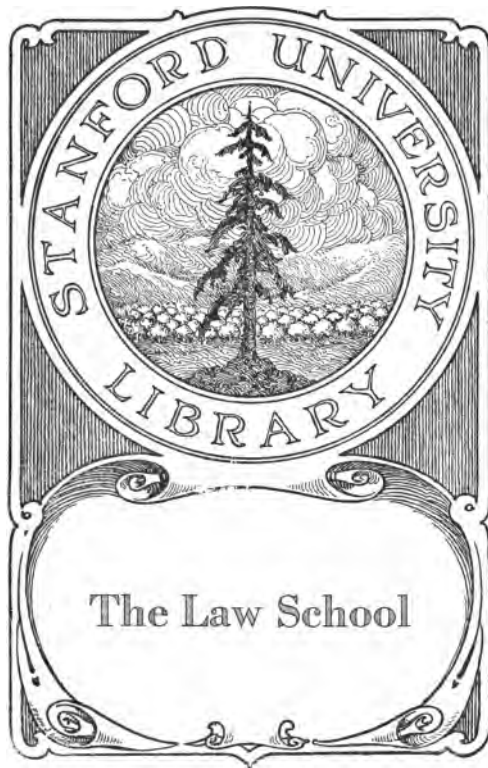
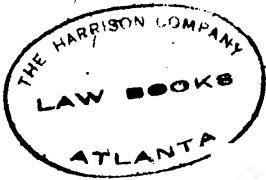
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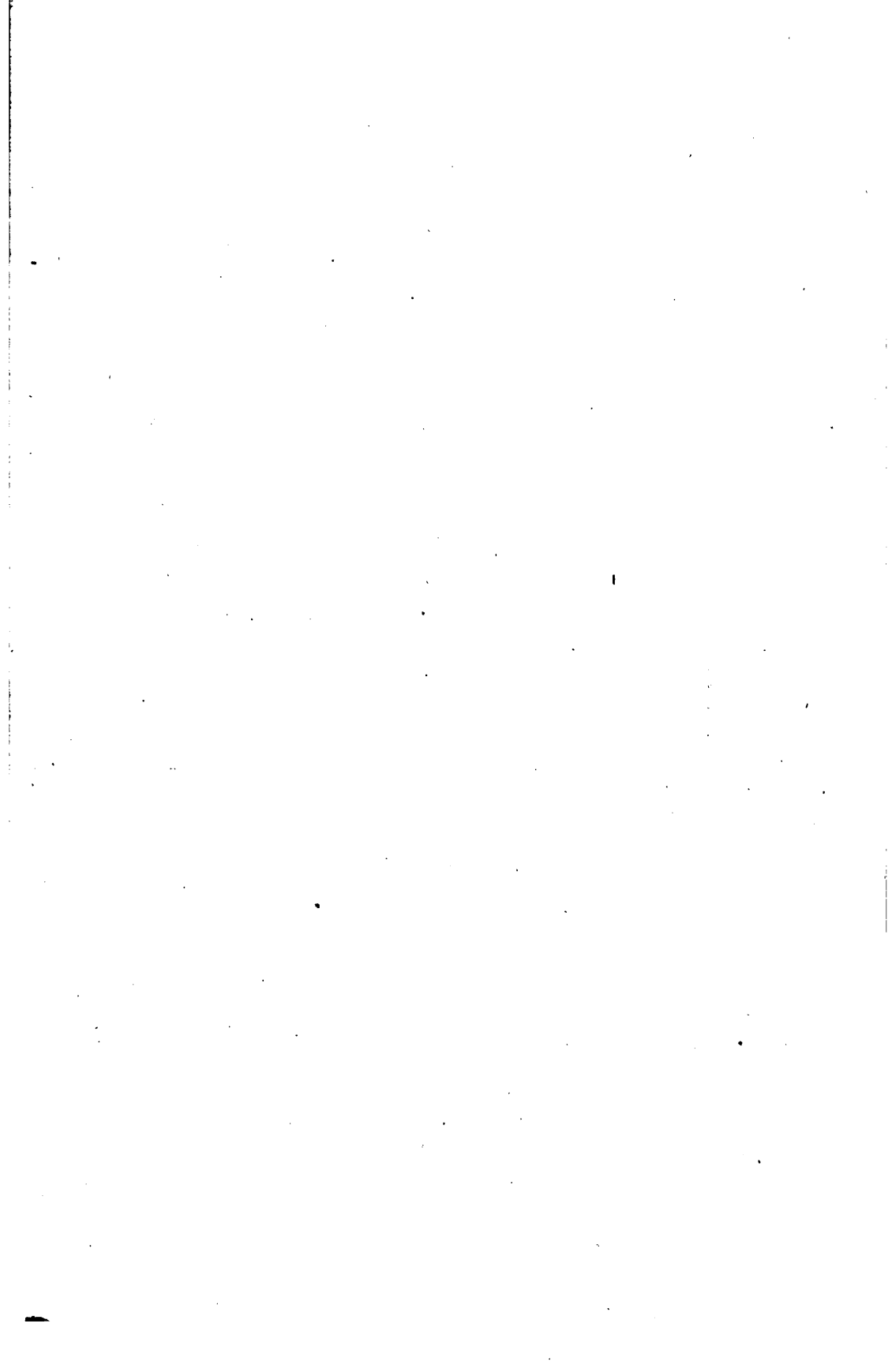
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South Carolina Collection







# ACTS AND JOINT RESOLUTIONS

OF THE

## General Assembly

OF THE

## STATE OF SOUTH CAROLINA,



PASSED AT THE

EXTRA SESSION OF 1877.

---

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO  
FORM A PART OF THE SIXTEENTH VOLUME OF THE STATUTES  
AT LARGE, COMMENCING WITH THE ACTS OF 1875-76.

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*Passed at the Extra Session which was begun and held at the City  
of Columbia on the Twenty-Fourth Day of April, A. D. 1877.  
and was adjourned without day on the Ninth Day  
of June, A. D. 1877.*

WADE HAMPTON, Governor. W. D. SIMPSON, President of the  
Senate. WILLIAM H. WALLACE, Speaker of the House of  
Representatives.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT FOR THE No. 204.  
RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED  
BECAUSE OF THEIR POLITICAL OPINIONS."

*Be it enacted* by the Senate and House of Representatives of the  
State of South Carolina, now met and sitting in General Assembly,  
and by the authority of the same, That an Act entitled "An Act  
for the relief of the widows and orphans of persons killed because  
of their political opinions," approved March 13, 1872, be, and the  
same is hereby, repealed. Act approved  
March 13, 1872,  
repealed.

Approved May 23, 1877.

AN ACT TO REPEAL AN ACT TO PROTECT THE INTEREST OF No. 205.  
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*Be it enacted* by the Senate and House of Representatives of the  
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and by the authority of the same, That an Act to repeal an Act

A. D. 1877. to protect the interest of the State whereon payment of interest now due remains unpaid on bonds issued by any railroad company, and whereon the guarantee of the State is endorsed," approved March 7, 1871, be, and the same is hereby, repealed.

Act to protect interest of the State restored.

Approved May 23, 1877.

No. 206. AN ACT TO ABOLISH THE PAY OF COMMISSIONERS AND MANAGERS OF ELECTION, AND OF THEIR CLERKS.

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Pay of Commissioners of Election and their clerks abolished.

SEC. 2. That all Acts and parts of Acts inconsistent with or repugnant to the provisions of this Act be, and the same are hereby, repealed.

Approved May 23, 1877.

No. 207. AN ACT TO EXTEND THE TIME FOR COUNTY OFFICERS ELECTED AT THE LAST GENERAL ELECTION TO QUALIFY.

SECTION 1. *Be it enacted by the* Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all County officers elected at the last general election who have not already qualified be, and they are hereby, allowed thirty days from and after the passage of this Act to qualify and enter upon the duties of their respective offices.

Time for qualifying extended for thirty days.

SEC. 2. That if any officer aforesaid shall fail to qualify within the time specified in Section 1 of this Act, he shall forfeit the office to which he was elected, and the Governor is hereby authorized to order an election to fill the vacancy.

Failing to qualify shall forfeit office. Governor to fill vacancy.

Approved May 23, 1877.



AN ACT TO INCORPORATE THE MECHANICS' BUILDING AND  
LOAN ASSOCIATION OF GREENVILLE.

A. D. 1877.

No. 208.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. Q. Donaldson, J. M. Westmoreland, J. B. Patrick, S. S. Gibbes, G. G. Wells, C. H. Lanneau, James Brown, W. T. Shumate and Julius C. Smith, together with such other persons as now are, or may hereafter be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Mechanics' Building and Loan Association.

Corporators.

Object of corporation.

Corporate name.

SEC. 2. The capital stock of said Association may consist of one thousand shares, but as soon as one hundred and fifty shares are subscribed thereto the said Association may organize and commence operations; said shares to be paid by successive weekly installments of twenty-five cents on each share as long as the said Association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the Association may prescribe.

Capital stock.

When may commence operations.

Manner of paying shares.

Penalty for non-payment of shares.

SEC. 3. That it shall be lawful for said Association to issue new series of stock upon such terms and at such times as the regulations and by-laws of said Association may prescribe: *Provided*, The whole number of shares shall at no time exceed one thousand.

Association may issue new stock.

SEC. 4. That the said Association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and to keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Powers and privileges.

SEC. 5. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same from time to time, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws

May deal in real estate.

A. D. 1877.

Proviso.

of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

Funds loaned  
to stockholders  
on good securi-  
ty.

SEC. 6. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate, for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may from time to time be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same, as they may from time to time deem expedient.

Association  
may dispose of  
property mort-  
gaged to them.

Funds may  
be loaned to  
others than  
stockholders.

SEC. 7. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatsoever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

Dividends  
may be de-  
clared.

SEC. 8. That said corporation shall have the right, out of its profits, to declare and pay semi-annual dividends on stock held therein, whether paid in whole or in part, according to such proportion as its rules may establish; but no dividends shall ever be paid so as to diminish the capital stock.

When cor-  
poration may  
cease to exist.

Act to expire  
in ten years.

SEC. 9. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however*, That in case the said corporation shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 10. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved May 23, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREER'S, IN GREENVILLE COUNTY."

A. D. 1877.  
No. 209.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Greer's, in Greenville County," approved March 25, 1876, be, and the same is hereby, amended by striking out all of Section 1 that comes after the word "Greer's," on line seven of said Section, and inserting the following: "And its limits shall be deemed and held to extend one-fourth of a mile in each direction from the crossing of the Mostilla and Chick Spring Roads at said place, not to extend beyond the boundary line between Greenville and Spartanburg Counties."

Section 1  
amended.  
Limits of town.

Approved May 23, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO ALTER AND AMEND AN ACT TO INCORPORATE THE TOWN OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED.'"

No. 210.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to amend an Act entitled 'An Act to alter and amend an Act to incorporate the town of Marion, and for other purposes therein mentioned,'" approved March 13, 1872, as amends Section 2 of said Act be, and the same is hereby, repealed, and the said Section is hereby re-enacted, as follows:

Portion of Act  
repealed.

Section 2 re-  
enacted.

SEC. 2. That the said persons shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Marion; and its corporate limits shall extend one-half of a mile in the direction of the cardinal points, from the Court House as a center, and form a square.

Corporation.  
Corporate  
name.  
Limits.

SEC. 3. That the Intendant and Wardens of said town shall have power to compel any person or persons violating any of the ordinances of said town to pay such fine as they may deem proper, not to exceed fifty dollars; and in default of the payment of the fine imposed by said Intendant and Wardens, they shall have power to

Power of In-  
tendant and  
Wardens.

A. D. 1877.  
Penalties.

compel the person or persons violating the ordinances of said town to work upon the streets or other public works thereof, at the rate of one dollar per day, until payment of such fine is made.

Approved May 23, 1877.

No. 211. AN ACT TO ENABLE JOHN E. ALLEN, ERNEST GARY AND WILLIAM WRAGG JOHNSON TO APPLY FOR ADMISSION TO THE BAR.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John E. Allen, Ernest Gary and William Wragg Johnson, minors, under the age of twenty-one years, be, and they are hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act; and, if qualified, they shall be admitted to all the privileges granted by Section 2, page 502, of the General Statutes of said State to persons applying for admission and admitted to practice as attorneys at law.

May apply  
for admission  
to the bar.

Approved May 30, 1877.

No. 212. AN ACT TO CARRY INTO EFFECT THE FOURTEENTH SECTION OF ARTICLE IV OF THE CONSTITUTION, RELATING TO THE JUDICIARY.

Whereas the Constitution of this State provides: "Judges of the Circuit Courts shall interchange Circuits with each other in such manner as may be determined by law:"

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That to carry the said constitutional provision into effect within sixty days after the passage of this Act, the Chief Justice of the Supreme Court, or, in case of his death, resignation, illness or absence from the State, the presiding Associate Justice, shall cause to be made a roster of the Circuit Judges of this State, and shall assign each of the said Circuit Judges to hold the Fall Terms of the Courts of one of the Circuits for the year 1877, commencing with the First Circuit; and the Judge assigned to hold the Courts of the First Circuit shall

Roster to be  
made of Cir-  
cuit Judges,  
and each as-  
signed to hold  
Court in rota-  
tion.

continue to be assigned to the other Circuits in regular order as the Circuits stand in their numerical series, and the other Circuit Judges shall be assigned to hold the terms of the Courts of the other Circuits, as the Chief Justice may select them, in the numerical order of the Circuits following, so that the Circuit Judges shall regularly rotate in holding the terms of the Courts in all the Circuits of the State.

A. D. 1877.

SEC. 2. That between the first and fifteenth of December, 1877, and during the same period of each succeeding year, the Chief Justice or presiding Associate Justice, from the said roster, shall make the assignment of Circuit Judges to hold the various Courts in all of the Circuits for the whole of the succeeding year, in such order as will effect a constant interchange of Circuits; and immediately upon any such assignment, as provided in this and the preceding Section of this Act, the Chief Justice or presiding Associate Justice shall cause official notification to be given to the Circuit Judges of the order of their assignment, and shall cause a notice to be inserted in two daily newspapers (one in the city of Charleston and one in the city of Columbia) for two weeks of the order of such assignment; and said notifications shall be sufficient notice to the said Circuit Judges, and they shall proceed to hold the terms of the Courts in the Circuits to which they are respectively assigned at the times appointed by law for the various Circuit Courts therein to convene.

SEC. 3. Whenever any Circuit Judge, pending his assignment to hold the Courts of any Circuit, shall die, resign, be disabled by illness, or be absent from the State, or in case of a vacancy in the office of Circuit Judge of any Circuit, the Chief Justice or presiding Associate Justice may assign any other Circuit Judge disengaged to hold the Courts of such Circuits, or to fill any appointment made necessary by such vacancy.

Provision made for vacancy in office of any Circuit Judge.

SEC. 4. No Circuit Judge shall absent himself from this State without leave first granted in writing by the Chief Justice or presiding Associate Justice.

Judges cannot absent themselves without permission.

SEC. 5. Any Circuit Judge who shall fail or neglect to hold the term or terms of any Court of General Sessions or Common Pleas in any Circuit to which he may be assigned until the business of said Courts shall have been disposed of, or the end of the term or terms arrives, or shall fail to recognize and obey the order of assignment of the Chief Justice or presiding Associate Justice, or shall violate the fourth Section of this Act, upon any reliable information of the same the Attorney General of the State shall,

A. D. 1877.  
 Judges to be  
 held amenable  
 for neglect of  
 duty.

by official communication, bring such violations of this Act to the notice of the General Assembly at its first session, and such Circuit Judge shall be held amenable to proceedings for neglect of duty, as provided in Article VII, Section 4, of the Constitution.

SEC. 6. That Section 26, Title III, of the Code of Procedure, Chapter CXXII of the Revised Statutes, and all other Acts or parts of Acts conflicting with the provisions of this Act, are hereby repealed.

Approved May 31, 1877.

No. 213. AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES IN COUNTY OFFICES, AND TO REGULATE THE HOLDING OF ELECTIONS THEREFOR.

Vacancies in  
 elective offices  
 to be filled.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all vacancies, whether from death, resignation, disqualification, or any other cause, which now exist, or shall hereafter occur, in any of the elective offices in any County of the State shall be filled in the manner prescribed in this Act.

If unexpired  
 term does not  
 exceed one  
 year, Governor  
 to appoint.

SEC. 2. If the unexpired term of the last incumbent of the office for which the vacancy exists does not exceed one year, the Governor shall appoint some suitable person to the office, who, upon duly qualifying according to law, shall be entitled to enter upon and hold the office to which he has been appointed for such unexpired term, and shall be subject to the duties and liabilities incident to the said office during his term of service therein.

If unexpired  
 term exceeds  
 one year, Gov-  
 ernor to order  
 election.

SEC. 3. If the unexpired term of the last incumbent of the office for which the vacancy exists exceeds one year, the Governor shall, by proclamation, order an election in the County to fill the vacancy, such election to be conducted in the same manner as general elections in this State are now conducted, except as hereinafter provided.

Commission-  
 ers of Election  
 to act at this  
 election.

SEC. 4. The Commissioners of Election appointed for the purpose of the previous general election shall act at the election provided for in this Act, unless previously removed by the Governor; and in case of the removal of any such Commissioner, the Governor shall appoint a Commissioner to act in his place.

SEC. 5. When, upon an election held under the provisions of this Act, the Board of County Canvassers shall have made a statement

of the result of the election in manner as provided by law in the case of general elections, the said Board shall within three days thereafter publish the result of said election, and shall within the same time file in the office of the Clerk of the Court of Common Pleas of the County where the election is held their said statement of the result of the election, and deposit with the said Clerk the ballot boxes containing the ballots, the returns, poll lists and all papers pertaining to the election.

A. D. 1877.

Board of Canvassers to publish results within three days.

SEC. 6. The said Board of County Canvassers shall also within the time prescribed in the preceding Section forward a duplicate statement of the results of said election, by messenger, to the Secretary of State, whose duty it shall be, upon the receipt of said statement, to record the same in his office, and to issue to the person who, according to said statement, shall have received the highest number of votes a certificate declaring him to have been elected to the office for which the election was held: *Provided*, That if within seven days after the time fixed by law for the transmission of said statement to the Secretary of State the same shall not have been received, it shall be the duty of the Secretary of State to obtain forthwith from the Clerk of the Court in the County where the election was held a certified copy of the statement in his office, and upon the receipt of such copy to proceed in like manner as if the original statement had been received by him.

Board to forward duplicate statement to Secretary of State.

Secretary of State, after seven days, to require a certified statement of election.

SEC. 7. That all Acts and parts of Acts in conflict with this Act be, and the same are hereby, repealed.

Approved May 31, 1877.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED LAND UPON CERTAIN CONDITIONS THEREIN MENTIONED." No. 214.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act to provide for the redemption of forfeited land upon certain conditions therein mentioned," be, and the same is hereby, amended by striking out in Section 1 all after the word "follows," and inserting instead the following: "That in all cases where lands shall have been forfeited to the State for the non-payment of taxes, and the title thereto be vested in the State from the

A. D. 1877.

Owners and  
others allowed  
to redeem for-  
feited lands.

Auditors to  
expunge same  
from forfeited  
land record.

fifteenth day of June, 1876, the owners of the said lands, or, if they be dead, their legal representatives, heirs at law, or any judgment creditor, mortgagee or other person interested in said lands, shall have the right, and they are hereby authorized, to redeem the same on or before the first day of January, 1878, upon the payment of all taxes, costs and penalties due and owing upon the same; and the County Auditors of the several Counties where the said lands are situated, upon the payment of such taxes, costs and penalties within the time herein limited, shall report the said payment to the Comptroller General, and the property so redeemed shall thereupon be dropped from the forfeited land record and restored to the tax list of the County where the land is situated.

Approved May 31, 1877.

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No. 215. AN ACT TO REGULATE THE APPOINTMENT OF COUNTY OFFICERS.

Only electors  
can fill County  
offices.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter no person shall be appointed to fill any County office who shall not be an elector of such County.

Approved May 31, 1877.

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No. 216. AN ACT TO RENDER OFFICERS OF CORPORATIONS PERSONALLY RESPONSIBLE IN CERTAIN CASES.

Officers of  
banks receiv-  
ing deposits,  
when aware  
such corpora-  
tion is insolv-  
ent, to be  
deemed guilty  
of felony.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, it shall be deemed a felony for any President, Director, Manager or Cashier, or other officer, of any banking institution to receive any deposits or trusts, or to create any debts for such corporation, after he shall become aware that such corporation is insolvent; and every officer of such failing corporation shall become personally liable to the amount of such deposits or trusts received by him, or with his knowledge or assent, in any such case, to the person thereby damaged, whether criminal prosecution be made or



not. And all persons convicted for felony, as herein provided, shall be punished by imprisonment for a term of not less than one year and by a fine of not less than one thousand dollars.

A. D. 1877.  
Punished by  
fine and im-  
prisonment.

Approved May 31, 1877.

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AN ACT TO ABOLISH THE OFFICE OF OFFICIAL STENOGRAPHER. No. 217.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, the office of Official Stenographer in the various judicial Circuits of this State be, and the same is hereby, abolished, except in the First Judicial Circuit.

Office of Offi-  
cial Steno-  
grapher abol-  
ished.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved May 31, 1877.

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AN ACT TO PREVENT CLERKS OF PROBATE COURTS FROM PRACTICING AS ATTORNEYS IN SUCH COURTS. No. 218.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, no person holding the office of Clerk of the Probate Court under and by virtue of the appointment of the Probate Judge of any County of this State shall practice in such Court as an attorney or counselor at law.

Clerks of Pro-  
bate Courts  
cannot practice  
in such Courts.

Approved May 31, 1877.

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AN ACT TO REQUIRE ALL SCHOOL CLAIMS AND CLAIMS FOR TEACHERS TO BE SWORN TO. No. 219.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the correctness and legality of all claims for services rendered in teaching in any of the schools of

A. D. 1877.

Claims of teachers in public schools to be sworn to.

this State which are supported wholly or in part by the State, and all claims of every description whatsoever which are chargeable against the fund raised for the support of the free schools of the State, shall be sworn to by the person presenting said claim before it shall be approved by the person or persons authorized by law to give such approval.

School trustees invested with power to administer oaths, free of charge.

SEC. 2. That all school trustees are hereby invested with the power, and required, free of charge, to administer oaths to persons presenting the claims contemplated by this Act as fully, to all intents and purposes, as are all other persons who by the laws of this State are qualified to administer oaths.

Approved May 31, 1877.

No. 220. AN ACT TO PROVIDE STATIONERY AND FUEL FOR THE GENERAL ASSEMBLY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerk of the Senate be, and he is hereby, authorized and required

Senators to receive pay certificate of five dollars in lieu of stationery, and in addition to mileage and per diem.

Clerk of Senate to furnish committee rooms with stationery.

Proviso.

to draw, on the first day of each session of the General Assembly, a pay certificate of five dollars in favor of each member of the Senate, which shall be given in lieu of all stationery and postage to be used in his official capacity during such session, and in addition to the compensation and mileage of each member; and the Clerk of the Senate is further authorized and required to furnish, for the use of the Senate in its Committee Rooms and the Senate Chamber, such stationery as may be necessary for the session: *Provided*, That the amount for such general use shall not exceed one hundred dollars.

Members of House of Representatives to receive pay certificate of five dollars in lieu of stationery, and in addition to mileage and per diem.

Clerk House of Representatives to furnish its committee rooms with stationery.

Proviso.

SEC. 2. That the Clerk of the House of Representatives be, and he is hereby, authorized and required to draw, on the first day of each session of the General Assembly, a pay certificate of five dollars in favor of each member of the House of Representatives, which shall be given in lieu of all stationery and postage to be used in his official capacity during such session, and in addition to the compensation and mileage of each member; and the Clerk of the House of Representatives is further authorized and required to furnish, for the general use of the House and its Committee Rooms, such stationery as may be necessary for the session: *Provided*, That the amount for such general use for each session shall not exceed the sum of one hundred and fifty dollars.

SEC. 3. That the Keeper of the State House be, and he is hereby, authorized and required to furnish for the Senate and House of Representatives, and for their respective Committee Rooms, such supplies of fuel or coal and gas as may be necessary for their use at each session of the General Assembly: *Provided*, That the amount therefor shall not exceed the sum of eight hundred dollars.

A. D. 1877.

Amount for fuel and gas for General Assembly not to exceed \$800.

SEC. 4. That the amounts mentioned in the foregoing Sections of this Act shall be paid out of the amount appropriated at each session of the General Assembly to defray the expenses thereof.

Amounts to be paid out of appropriation for expenses of General Assembly.

SEC. 5. That an Act entitled "An Act relative to contracts for the Executive Departments of the State government, and for the General Assembly," approved March 24th, 1875, and all other Acts and parts of Acts amendatory thereto, or inconsistent with this Act, are hereby repealed.

Acts inconsistent with this repealed.

Approved May 31, 1877.

AN ACT TO REDUCE THE PAY OF COUNTY COMMISSIONERS AND THEIR CLERKS. No. 221.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the pay of County Commissioners be, and is hereby, reduced from three dollars per day to two dollars per day for each day actually consumed in the service of their respective Counties in attending to the duties of this office: *Provided*, That no pay shall be allowed to any one Commissioner for more than seventy days in any one year, except in the County of Charleston, where one hundred, but not more, shall be allowed.

Pay of County Commissioners reduced to two dollars per day.

Proviso.

SEC. 2. That the pay of Clerks of County Commissioners shall be two dollars per day for each day employed and allowed by their respective Boards, but not in excess thereof: *Provided*, That not more than one hundred days shall be allowed to any clerk for any one year, except in Charleston County, which shall not be allowed in excess of two hundred days in any one year.

Pay of clerks two dollars.

Proviso.

SEC. 3. This Act shall take effect immediately after its passage, and in each County immediately upon the qualifying of the Board thereby elected; and all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

When to take effect.

Approved May 31, 1877.

A. D. 1877. **AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR TO  
APPOINT A TRIAL JUSTICE RESIDENT AT THE TOWN OF  
BLACKSTOCK.**  
No. 222.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in addition to the number of Trial Justices now allowed by law for the Counties of Chester and Fairfield, to the limit of five miles in each and every direction from the depot of the Charlotte, Columbia and Augusta Railroad Company in the said town of Blackstock, His Excellency the Governor be, and he is hereby, authorized and empowered to appoint a Trial Justice resident in or near the town of Blackstock, situated on the line of said Counties.

Governor to  
appoint an ad-  
ditional Trial  
Justice.

Jurisdiction  
to extend over  
Chester and  
Fairfield.

**SEC. 2.** That the jurisdiction of such Trial Justice shall extend over both the Counties of Chester and Fairfield.

Approved May 31, 1877.

**No. 223. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF  
TRIAL JUSTICES IN AND FOR THE COUNTY OF BARNWELL.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to regulate the appointment and salary of Trial Justices in and for the County of Barnwell" be, and the same is hereby, amended by striking out on the fourth line of said Section the word "five," and inserting in lieu thereof the word "six."

Section 1  
amended by in-  
serting "six" in  
lieu of "five."

**SEC. 2.** That Section 2 of said Act be amended to read as follows, to wit: "That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: One for Blackville and Williston, one for Bamberg, Midway and Graham's Turnout, one for Buford's Bridge Township, one for the village of Barnwell, one for Allendale, one for the Township of Four Miles and Bennett's Spring, and shall keep their offices at the respective places for which they are commissioned, which shall be opened from day to day for the transaction of business."

Section 2  
amended.

Locations of  
Trial Justices.

Offices to be  
opened daily.

Proviso of  
Section 3  
amended.

**SEC. 3.** That the proviso of Section 3 of the said Act be amended to read as follows, to wit: "*Provided*, That the Trial Justice commissioned for Bamberg, Midway and Graham's Turnout shall re-

ceive an annual salary of five hundred dollars, and that the Trial Justice commissioned for Blackville and Williston shall receive an annual salary of four hundred dollars, and the Trial Justice commissioned for Allendale shall receive an annual salary of four hundred dollars, and the Trial Justice commissioned for Buford's Bridge Township shall receive an annual salary of two hundred dollars, and the Trial Justice commissioned for Four Miles and Bennett's Spring shall receive an annual salary of three hundred dollars, and the Trial Justice commissioned for Barnwell village shall receive an annual salary of three hundred dollars."

A. D. 1877.

Salaries of Trial Justices.

SEC. 4. That the Trial Justices for Barnwell County may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure, and the Constables so appointed shall receive the following salaries: The Constables for Barnwell, Bamberg, Midway and Graham's Turnout, one hundred and fifty dollars each per annum; the Constables for Allendale, Four Miles and Bennett's Spring, Blackville and Williston, one hundred dollars each per annum; and the Constable for Buford's Bridge, fifty dollars per annum, payable quarterly.

May each appoint one Constable.

Salaries of Constables.

SEC. 5. That the provisions of Section 8 of an Act entitled "An Act to regulate the appointment and salary of Trial Justices in and for the County of Barnwell," approved January 16, 1875, be, and the same are hereby, repealed.

Provisions of Section 8 of said Act hereby repealed.

Approved May 31, 1877.

AN ACT TO AUTHORIZE AND DIRECT THE INTENDANT AND WARDENS OF THE TOWN OF SUMTER TO FUND THE PAST INDEBTEDNESS OF THE SAID TOWN, AND FOR OTHER PURPOSES THEREIN RELATED. No. 224.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant and Wardens of the town of Sumter be, and are hereby, authorized to fund the past indebtedness of said town by issuing therefor, from time to time, town stock to such creditors as may be willing to accept the same, and to borrow money sufficient to pay such amount of said indebtedness as may not be funded in town stock, the aggregate of such stock and loans not to exceed, however, eleven thousand dollars; and to secure the payment of such loans,

May issue stock and borrow money.

Aggregate of stock and loans not to exceed \$11,000.

**A. D. 1877.** *To be secured by mortgages of the market and town hall.* may issue the bonds of said corporation, secured by mortgages of the market and town hall or other corporate property. That for the payment of the interest and reduction of the principal of such stock and bonds, there shall be annually imposed the special tax hereinafter mentioned, and to such interest and reduction the net income derived from said market and town hall shall be applied.

**SEC. 2.** That the said Intendant and Wardens be, and are hereby, authorized to impose and levy an annual special tax upon all property now or hereafter assessed for regular taxation in said town, not exceeding twenty cents on the hundred dollars of the assessment value thereof; that the special tax so levied be annually applied to the payment of the interest and reduction of the past indebtedness of said town, and of the stock and bonds which may be issued under this Act, and to no other purpose whatever.

**SEC. 3.** That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved May 31, 1877.

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**No. 225. AN ACT TO INCORPORATE THE TOWN OF BATESBURG, IN THE COUNTY OF LEXINGTON.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of the United States and of this State who have resided one year in this State and sixty days in the town of Batesburg shall be deemed, and are hereby declared, a body politic and corporate; and the said town shall be called and known by the name of Batesburg, and its corporate limits shall extend one mile from the depot of the Charlotte, Columbia and Augusta Railroad Company at said place in a direction due North, South, East and West, and shall include a square formed upon the extremities of lines so drawn.

**SEC. 2.** That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of the said town on the third Monday in July, 1877, ten days' public notice being previously given thereof; and

that all male inhabitants of the age of twenty-one years, citizens of this State and of the United States, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. A. D. 1877.  
Who may vote.

SEC. 3. That for the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Lexington County shall designate three suitable persons, citizens of said town, to act as Managers of Election; and the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election. Clerk of Court to appoint Managers of first election.  
Intendant and Wardens to appoint Managers in future.

SEC. 4. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872. To have same powers and privileges as the town of Ninety-Six.

SEC. 5. This Act shall be a public Act, and continue in force until amended or repealed.

Approved May 31, 1877.

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AN ACT TO ESTABLISH AND CHARTER PRINGLE FERRY, IN No. 226.  
GEORGETOWN COUNTY, STATE OF SOUTH CAROLINA.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Black River, in Georgetown County, to be known as Pringle Ferry; and that said ferry be vested in E. W. and J. T. Hazzard, and their heirs, for the term of fifteen years; and that the following rate of toll be charged and collected, and no more: For every horse and buggy, each way, twenty five cents; for every two horses and 'buggy, each way, thirty-five cents; for one wagon and team of four horses, forty cents each way; for one horse and cart, fifteen cents each way; for every person on horseback, leading or driving a mule or horse, ten cents; for every horse or mule, four cents; for every head of cattle, three cents each; for hog, sheep or goat, two cents; every animal for show, in addition to the carriage in which it may be conveyed, forty cents; for every foot passenger, each way, two and a half cents: *Provided*, That children going to and returning from Pringle Ferry chartered.  
In whom vested.  
Duration.  
Rate of toll.  
Proviso.

A. D. 1877. school, and voters going to and returning from poll, militia going to and returning from muster, and clergymen, be passed free of toll.

Approved May 31, 1877.

No. 227. AN ACT TO ESTABLISH AND CHARTER YAWHANNEY FERRY, IN GEORGETOWN COUNTY, STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered, to reach across the Pee Dee River, in Georgetown County, to be known as Yawhanney Ferry, and that the said ferry be vested in W. F. Elliott and his heirs for the term of fifteen years; and that the following rate of toll be charged and collected, and no more, except in case of a freshet, when the ferry shall be a long ferry:

SEC. 2. For every horse and buggy, each way, twenty-five cents; for every two horses and buggy, each way, thirty-five cents; for one wagon and team of four horses, forty cents each way; for one horse and cart, fifteen cents each way; for every person on horseback, leading or driving a mule or horse, ten cents; for every horse or mule, four cents; for every head of cattle, three cents each; for hog, sheep or goat, two cents; every animal for show, in addition to the carriage in which it may be conveyed, forty cents; for every foot passenger, each way, two and a half cents.

SEC. 3. Long ferry: For every four-horse carriage or vehicle, two dollars; for every two-horse carriage or vehicle, one dollar and twenty-five cents; for every one-horse carriage or vehicle, seventy-five cents; for every horse and rider, twenty-five cents; for every foot passenger, twelve and one-half cents; for every head of cattle, goats and hogs, twelve and one-half cents: *Provided*, That children going to and coming from school, and voters going to and returning from poll, militia going to and returning from muster, and clergymen, be passed free of toll.

SEC. 4. In any case where a greater sum is demanded or collected than is prescribed in said second Section of this Act by any person having the management or care of either of the said ferries, the person demanding or collecting such toll shall be deemed guilty of a misdemeanor, and, upon conviction in any Court of competent jurisdiction, shall be fined in a sum of not less than one hundred

Penalty where greater sum is charged than is prescribed by this Act.

Yawhanney Ferry chartered. In whom vested.

Toll to be charged.

Long Ferry.

Proviso.



dollars and costs, and not more than two hundred dollars, and be imprisoned in the County jail for a period of not less than ninety days: *Provided*, That the provisions of Section 37 of Chapter XLVII of the General Statutes of South Carolina shall not apply to any of the ferries named in this Act.

A. D. 1877.

Proviso.

SEC. 5. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved May 31, 1877.

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AN ACT TO AUTHORIZE WILLIAM A. SIMS, DR. P. P. BUTLER, S. S. LINDER AND F. E. LINDER TO ERECT GATES ACROSS CERTAIN ROADS IN UNION COUNTY. No. 228.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William A. Sims, Dr. P. P. Butler, S. S. Linder and F. E. Linder be, and are hereby, authorized to erect gates across the public roads leading through their plantations in Union County.

Gates across public roads in Union County.

SEC. 2. It shall be the duty of the owners of said gates to keep the same in good repair; and upon failure to do so, said gates may be removed as a nuisance.

Gates to be kept in order.

Approved May 31, 1877.

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AN ACT TO AMEND THE CHARTER OF GAFFNEY CITY, IN SPARTANBURG COUNTY. No. 229.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Gaffney City, in the County of Spartanburg," approved 3d March, 1875, and having the same charter as the town of Lewisville, which was chartered 28th February, 1872, be altered and amended as follows: That in Section 3 of the Lewisville charter the words "from six o'clock in the morning until five o'clock in the afternoon" be stricken out, and the words "from nine o'clock A. M. until three o'clock P. M." be inserted in lieu thereof.

Act amended.

A. D. 1877.

Further  
amendment.Convicts may  
be made to la-  
bor.Public scales  
to be estab-  
lished and  
Public Weigher  
appointed.Standard of  
scales.Public Weigh-  
er to be conclu-  
sive evidence.Charge per  
bale for weigh-  
ing.

SEC. 2. That Section 5 be amended by the addition of the following clause: "And whenever the said Town Council shall fine a person convicted of an offense, and said person shall refuse to pay said fine, or when, in the opinion of said Council, a person shall be sentenced to labor as a punishment, the said Council shall have power and authority to commute fines imposed, or to work convicts sentenced to labor for a period not exceeding twenty-five days."

SEC. 3. That the following Section be added: "That said Town Council of Gaffney City are hereby authorized and empowered to establish as many public scales as may be necessary. They shall have power to appoint a Public Weigher or Weighers, who shall be sworn and subject to the control of said Council. The scales so established shall conform to the standard now adopted by the United States. In litigated cases the certificate of the Public Weigher shall be conclusive evidence. The said Town Council shall have the power to charge a sum not exceeding ten cents for each bale of cotton weighed on the public scales by a sworn Weigher, said money to go to the use of said town."

SEC. 4. That all Acts or parts of Acts conflicting with the foregoing amendments are hereby repealed.

Approved May 31, 1877.

# No. 230. AN ACT TO CHANGE THE LIMITS OF THE TOWN OF ANDERSON.

Limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of the charter of the town of Anderson be amended as follows: After the word "Anderson," on the third line, strike out, and insert the following: "And its corporate limits shall extend and form the circumference of a circle whose radius shall be one mile, with the Court House thereof for the center."

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved May 31, 1877.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF YORKVILLE.

A. D. 1877.

No. 231.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the said town of Yorkville shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and shall have been residents of the said town for at least twelve (12) months immediately preceding this election.

Time of residence necessary.

SEC. 2. That Section 3 of the charter of the town of Yorkville, third line, be so amended as to read "from nine o'clock in the morning until four o'clock in the afternoon."

Charter amended.

SEC. 3. That the Intendant and Wardens of said town, or a majority of them, shall have full and the only power to grant or refuse licenses for billiard tables and ten-pin alleys, to keep taverns or to retail spirituous liquors within the corporate limits of said town, upon such conditions and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to retail spirituous liquors be less than two hundred dollars: *Provided, also*, That the Intendant and Wardens duly elected shall not have power to grant any license to retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to grant licenses to auctioneers and itinerant traders or peddlers, and to regulate such sales as they may deem proper. They may impose a tax upon all drays, carts, wagons, carriages, omnibuses and buggies kept for hire or used for public purposes in said town. They shall have the full and only power to impose a tax on all shows or exhibitions for gain or reward within the corporate limits of said town.

Powers of Intendant and Wardens.

Proviso.

Liquor license limited.

License to traders.

Tax on public conveyances and exhibitions.

SEC. 4. That the said Town Council shall have power to establish or authorize the establishment of a guard house in said town, and to prescribe suitable rules and regulations for keeping and governing the same; and until the said guard house be established, they shall be authorized to use a room in the common jail of the County of York for the confinement of all who may be committed for a violation of any ordinances, rules and regulations of said town. And the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house or jail, as the case may be, for a term not exceeding ten (10)

Guard house to be established.

Marshal or Constable to imprison disorderly persons.

A. D. 1877.

May call *posse comitatus*.

Penalties of officers failing in duty.

Persons unable to pay fines must work on streets.

Bond of Treasurer.

Duties and compensation of Treasurer.

Duty concerning taxes.

Tax debts to have precedence over all others.

days, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town or any of them. And it shall be the duty of the Town Marshal or Constable to arrest and commit all such offenders when required so to do, and shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests. And upon failure of said officers to perform such duty as required, they shall be subject to such fines and penalties as the Town Council may impose upon them. And if any person or persons convicted of any of the before mentioned misdemeanors refuse or be unable to pay any fines imposed upon them, the said Town Council shall have power to compel them to work upon the streets of said town, under the direction of one of the Marshals, for a time not exceeding one day for each dollar fine imposed and not paid. All money collected as fines, as well as all realized from licenses granted and taxes levied, shall be applied to the use of said town.

SEC. 5. That the Treasurer, before entering upon the duties of his office, shall give a bond for one thousand dollars, with surety to be approved by said Town Council. He shall, at the expiration of his term of office, make out a report of all moneys received and paid out, and publish the same for public information. He shall deliver to his successor in office all books, documents, papers, money or other property belonging to the town in his hands. As compensation, he shall receive two and one-half (2½) per cent. on all moneys received, and the same on all moneys paid out; but a balance received from his predecessor in office shall not be subject to commission. He shall have the same powers in general to collect taxes that are now granted, or may hereafter be granted, to the County Treasurer for the collection of State or County tax; but personal property may always be made liable and sold first to satisfy a tax execution. Executions for the enforcement of taxes shall be issued, signed by the Intendant, and countersigned by the Treasurer, under the seal of the corporation, and may be directed to the Town Marshal or other person appointed by the said Town Council to levy, collect and receive the same, with costs and penalties, as in such case made and provided by law. And all property upon which such tax shall be levied and assessed is hereby declared and made liable for the payment thereof, in preference to all other debts, except debts due to the State, which shall be first paid.

SEC. 6. That all Sections or parts of Sections of the charter of

the town of Yorkville, approved March 2, 1871, which are inconsistent with this Act be, and the same are hereby, repealed.

A. D. 1877.

Repealing  
clause.

Approved May 31, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE PIEDMONT MANUFACTURING COMPANY," APPROVED FEBRUARY 13, 1874. No. 232.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Piedmont Manufacturing Company" be, and the same is hereby, amended by striking out all of said Section after the word "same" on the seventh line from the end of said Section, and inserting the following: "And they shall have power to raise by subscription, in shares of one hundred dollars each, a capital of two hundred thousand dollars, with the privilege of increasing the said capital to any amount not exceeding five hundred thousand dollars, the consent of a majority of the Directors of the said company being first had and obtained before said increase of capital is made."

Act amended.

Shares to be  
one hundred  
dollars each.

Capital may  
be increased  
with consent of  
Directors.

Approved May 31, 1877.

AN ACT TO PROHIBIT THE UNAUTHORIZED ABSENCE OF CERTAIN OFFICERS FROM DUTY. No. 233.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That no State or County officer, except members of the General Assembly and the Governor, shall be absent from the State during his term of office for more than thirty days in any one year without special permission, to be granted by the Governor of the State.

State and  
County officers  
may not absent  
themselves  
without per-  
mission.

SEC. 2. Any such officer violating the provisions hereof shall forfeit to the State, upon conviction, the amount of the salaries and perquisites of their offices for the year in which said absence occurs.

Salary to be  
forfeited for  
violating this  
Act.

Approved June 7, 1877.

A. D. 1877. **AN ACT TO REDUCE AND FIX THE PER DIEM AND MILEAGE  
OF MEMBERS OF THE GENERAL ASSEMBLY.**  
No. 234.

Members of  
the General  
Assembly to re-  
ceive \$5 for  
each day dur-  
ing legislative  
sessions.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each member of the General Assembly shall hereafter receive for each regular session five dollars per diem for each day during the session; and when convened in extra session, each member shall receive the same mileage and per diem compensation as are fixed for the regular session, and none other.

Rate of mile-  
age.

SEC. 2. That hereafter each member of the General Assembly shall be entitled to receive mileage at the rate of ten cents per mile for the actual distance traveled, by the most direct route, whilst going to and returning from the place where the session of the General Assembly shall be held.

When to take  
effect.

SEC. 3. This Act shall, except as to the special session that was begun to be holden on the 24th day of April, 1877, take effect immediately after its passage; and all Acts and parts of Acts inconsistent herewith shall then and thereafter be void and of none effect.

Approved June 7, 1877.

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No. 235. **AN ACT TO REDUCE AND FIX THE SALARIES OF CERTAIN  
OFFICERS.**

Salaries of  
Executive off-  
icers and their  
clerks.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the public officers hereinafter named shall receive the annual salaries hereinafter mentioned, respectively, to wit: The Governor, three thousand five hundred dollars; the Governor's Private Secretary, twelve hundred and seventy-five dollars; the Governor's Messenger, three hundred dollars; the Lieutenant Governor, one thousand dollars, to take effect after the next general election; the Secretary of State, two thousand one hundred dollars; the Chief Clerk of the Secretary of State, twelve hundred and seventy-five dollars; the Comptroller General, two thousand one hundred dollars; for clerical services in the Comptroller General's office, two thousand five hundred and fifty dollars, if so much be necessary; the State Treasurer, two thousand dollars; the Chief Clerk of the State Treasurer, fourteen hundred and

seventy-five dollars; the book-keeper of the State Treasurer, one thousand dollars; the Adjutant and Inspector General, twelve hundred dollars; Clerk to the Adjutant and Inspector General, nine hundred dollars; the State Superintendent of Education, eighteen hundred and seventy-five dollars; for Clerk to Superintendent of Education, nine hundred dollars; the Attorney General, two thousand one hundred dollars; the Clerk of the Attorney General, twelve hundred dollars; the Chief Justice of the Supreme Court, four thousand dollars; the Associate Justices of the Supreme Court, three thousand five hundred dollars each; the Reporter of the decisions of the Supreme Court, one thousand dollars; The Clerk and Librarian of the Supreme Court, seven hundred dollars; the attendant on the library and rooms of the Supreme Court, two hundred dollars; the Circuit Judges, three thousand five hundred dollars each; the Circuit Solicitors, one thousand five hundred dollars each, except in the First Circuit, which shall be two thousand dollars in lieu of all charges against the State and Counties, and of all fees received from defendants; the Keeper of the State House and State Librarian, five hundred dollars; the Watchmen of the State House and grounds, not to exceed two in number, three hundred dollars each; the Superintendent of the State Penitentiary, sixteen hundred dollars; the Physician of the State Penitentiary, three hundred dollars; the Superintendent of the State Lunatic Asylum, two thousand dollars; the Health Officer of Charleston, one thousand dollars; the Health Officers of Georgetown, four hundred dollars; Hilton Head and St. Helena Sound, six hundred dollars each; the Keeper of the Lazaretto, four hundred dollars; the Librarian of the University of South Carolina, who shall have charge of the buildings and grounds of the University, five hundred dollars.

A. D. 1877.

Salaries of Judges.

Salaries of the Keeper of the State House and Watchmen

Superintendent Penitentiary.

Superintendent Lunatic Asylum.

Health Officers.

Librarian of University.

SEC. 2. That the County Treasurer of each County shall receive commissions upon all taxes collected in their respective Counties, as follows: Three per cent. upon the first ten thousand dollars; two per cent. upon the next ten thousand dollars; one per cent. upon the next ten thousand dollars; one-half of one per cent. upon all amounts collected over thirty thousand dollars: *Provided*, The same shall not exceed eight hundred dollars or be less than five hundred dollars per annum, except the County of Charleston, where the commissions shall not exceed two thousand dollars. For clerical services in the office of County Treasurer of Charleston, eight hundred dollars: *Provided, further*, That nothing herein contained shall apply to fees and costs allowed County Treasurers for making distress and sale of real or personal property.

Salary of County Treasurers.

County Treasurer, Charleston.

Proviso.

A. D. 1877.

Salary County Auditors.

Additional amount to defray certain expenses.

To be paid by County Treasurer, countersigned by the County Commissioners.

Auditors must first file itemized statement.

Compensation of School Commissioners.

SEC. 3. That the County Auditors of the several Counties shall receive the annual salaries hereinafter mentioned respectively: The County Auditor of Charleston, two thousand dollars: *Provided*, That no additional compensation shall be allowed for clerk hire; the County Auditors of Abbeville and Richland, seven hundred dollars each; the County Auditors of Aiken, Anderson, Barnwell, Beaufort, Chester, Colleton, Darlington, Edgefield, Fairfield, Greenville, Laurens, Newberry, Orangeburg, Spartanburg, Sumter and York, six hundred dollars each; the County Auditors of Chesterfield, Marion, Clarendon, Georgetown, Horry, Kershaw, Lancaster, Lexington, Marlboro, Oconee, Pickens, Union and Williamsburg, five hundred dollars each. And in addition to the salaries of the Auditors, as hereinbefore provided, the County Auditors shall receive to defray the expenses of assessment of property such sums as may be necessary, but not to exceed the following, to wit: The Auditor of Charleston County, nine hundred dollars; the Auditors of Abbeville and Richland, five hundred dollars each; the Auditors of Aiken, Anderson, Barnwell, Beaufort, Chester, Darlington, Edgefield, Fairfield, Greenville, Laurens, Newberry, Orangeburg, Spartanburg, Sumter and York, four hundred dollars each; the Auditors of Colleton, Clarendon, Horry, Kershaw, Lancaster, Lexington, Marion, Marlboro, Pickens, Oconee, Union, Williamsburg and Chesterfield, three hundred dollars each. And the County Commissioners of the several Counties as aforesaid shall, upon the application of the County Auditors, draw their checks on the County Treasurers for the several amounts to which the Auditors may be entitled under the provisions of this Section; and the County Treasurers shall pay the said checks from the first collections of County funds of the fiscal year in which the work shall be performed; but no such check or order shall be paid by the County Treasurer until the Auditor shall have filed with the County Commissioners an itemized statement of the services rendered by his assistants, the number of days each of said assistants were employed, and the compensation they were severally to receive, which said statement shall be examined and approved by the said Board of County Commissioners: *Provided*, That no member of the Board of County Commissioners shall act as Assistant Assessor. That the County School Commissioners in each of the several Counties of the State shall receive for their compensation three dollars per diem for the time in which they are actually engaged in the business of their respective offices: *Provided*, The number of days in each and every year for which said compensation shall be allowed shall in no case exceed one hundred days, except



in the County of Charleston, where the number of days shall not exceed one hundred and fifty days. A. D. 1877.

SEC. 4. All salaries provided for in Section 1 of this Act shall be payable quarterly, and be paid upon the warrants of the Comptroller General upon the State Treasurer. Salaries payable quarterly; upon whose warrant.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

SEC. 6. That this Act shall take effect immediately after its passage.

Approved June 7, 1877.

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AN ACT TO AMEND SECTION 1, CHAPTER LXIX, OF THE REVISED STATUTES, AND TO AUTHORIZE THE GOVERNOR TO APPOINT REGENTS OF THE LUNATIC ASYLUM FROM RICHLAND COUNTY. No. 236.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1, Chapter LXIX, of the Revised Statutes be, and the same is hereby, amended so as to read as follows: "That the Governor shall appoint nine Regents of the Lunatic Asylum, who shall hold their offices for six years from the day of appointment, except upon the occurrence of a vacancy in the Regency, when the Governor shall fill the same by an appointment for the unexpired term only. The Regents shall be appointed from Richland County, and shall receive neither mileage, per diem or other compensation for their services." Governor to appoint three Regents from the County of Richland.  
No compensation allowed.

Approved June 7, 1877.

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AN ACT TO DECLARE AND PUNISH FRAUD IN THE SALES OF PRODUCE. No. 237.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, Any person engaged in the business of buying cotton, corn, rice or such commodities, either on his own account or for others, who shall buy such on sale from a planter, commission merchant or any other person or persons for cash, and shall fail or refuse to pay for the

A. D. 1877.

Making way  
with produce  
before it is paid  
for to be deem-  
ed a fraud.  
Penalty.

same, and shall make way with or dispose of the same before he shall have paid therefor, shall be deemed guilty of fraud and embezzlement, and shall be liable, on conviction, to be imprisoned in the Penitentiary for a term not less than one year nor more than five years, at the discretion of the Court.

Factors fail  
ing to account  
satisfactorily  
for produce to  
be deemed  
guilty of fraud.  
Penalty.

SEC. 2. That if any factor or commission merchant shall receive from any planter any cotton, rice or other agricultural produce for sale, and shall sell the same and fail to pay over the net proceeds thereof to the planter on demand, or to apply the same to his own use and benefit, or shall fail to account for the same in a satisfactory manner if unsold, he shall be guilty of fraud and embezzlement, and, on conviction thereof, shall be imprisoned in the Penitentiary not less than one year, nor more than five years, at the discretion of the Court.

Not guilty if  
products be de-  
stroyed by ac-  
cident.

SEC. 3. No person shall be convicted under the provisions of the preceding Sections if he can show that the cotton, corn, rice or other products received by him was destroyed by accident, after due diligence on his part, or that he was forcibly deprived of the possession thereof.

Approved June 7, 1877.

No. 238. AN ACT TO REQUIRE THE BLUE RIDGE RAILROAD, IN SOUTH CAROLINA, TO ERECT AND KEEP OPEN A DEPOT AT SENECA CITY, IN SAID STATE.

Blue Ridge  
Railroad to  
keep open a de-  
pot for pas-  
sengers and  
freight at Sene-  
ca City.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Blue Ridge Railroad Company, in South Carolina, shall receive and deliver passengers and freight received into its custody for transportation at the crossing or intersection of said road with the "Atlanta and Richmond Air Line Railway," at Seneca City, in said State.

Suitable build-  
ing must be  
erected.

SEC. 2. That at said crossing or intersection the said Blue Ridge Railroad be, and the same is hereby, required to erect and keep open suitable structures for the accommodation of passengers, and for the safe keeping of freights transported or to be transported over the same.

SEC. 3. That upon the failure or refusal of said Blue Ridge Railroad Company, in South Carolina, to comply with the provisions of the foregoing Sections of this Act, the Attorney General be, and he

is hereby, authorized and required to institute the necessary legal proceedings to have the charter of said company or corporation herein offending forfeited.

A. D. 1877.

Charter forfeited in case of failure to comply with this Act.

Approved June 7, 1877.

AN ACT TO REVIVE THE CHARTER AND TO EXTEND THE TIME FOR THE COMMENCEMENT OF WORK ON THE ANDERSON, AIKEN, PORT ROYAL AND CHARLESTON RAILROAD. No. 239.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Anderson, Aiken and Port Royal Railroad," approved February 26th, 1873, and an Act amendatory thereto, approved March 14th, 1874, expiring by limitation on the 26th February, 1876, be, and the same are hereby, renewed and re-enacted, and that the said charter be reinvested in John R. Cochran and his associates: *Provided*, That the work on the said railroad shall be commenced within three years from the passage of this Act.

Charter renewed.

Proviso.

SEC. 2. That Section 1 of this Act be amended by striking out the words "of all railroad corporations of a similar kind now existing, or hereafter to be created, in this State," and insert "of the North Eastern Railroad Company," by their original charter.

Section 1 of said Act amended by inserting "of the North Eastern Railroad Company."

Approved June 7, 1877.

AN ACT TO AUTHORIZE COUNTY COMMISSIONERS TO SUBMIT TO THE QUALIFIED ELECTORS OF THEIR SEVERAL COUNTIES A PROPOSITION TO ALTER THE FENCE LAWS, AND TO PROVIDE FOR EFFECTUATING THE SAME. No. 240.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon the written application of seventy-five of the taxpayers of any township in any County of this State who may desire to substitute the fencing of stock in lieu of fencing the crops, it shall be the duty of the Commissioners of said County to order an election in said township between the 10th and 20th of August, or the 10th and

On application of seventy-five taxpayers, County Commissioners shall call election to decide between fencing stock or crops.

A. D. 1877. 20th of December in any year, thirty days' notice thereof being given in one or more of the newspapers published in said County, specifying the time and place or purpose of such election, and the form of ballot to be used at such election, and to appoint three Managers of Election, who shall, without compensation, hold and conduct said election, and immediately upon the close thereof make return thereof to the Commissioners of the County, who shall declare and publish the result of said election in one or more of the newspapers published in said County: *Provided, however,* That the place of voting designated by the County Commissioners shall be as near the geographical center of the township as circumstances will admit; and if a majority of the qualified electors of said township, voting at said election, shall have voted for the adoption of this Act, then the same shall be and become of force in said township on the first day of January next succeeding such election, and from and after that date all laws now existing in regard to the erection and maintenance of fences in said township shall be null and void; and it shall not be lawful for the owner or manager of any horse, mule, ass, genet, swine, sheep, goat or neat cattle of any description to permit the said animals, or any of them, to run at large beyond the limits of their own lands in said township.

*Thirty days' notice to be given.*

*Commissioners to declare result.*

*Proviso.*

*A majority in favor, this Act shall become a law.*

*Owners of stock shall not permit the same to run at large.*

SEC. 2. That upon the written application of seventy-five taxpayers in each township in any County in the State, it shall be the duty of the Commissioners of the County for said County to order an election to be held in each township in the County, on the same day, in the manner and under the regulations of the foregoing Section; and if all of the townships in said County shall adopt this Act, then the same shall be of force in said County on the first day of January next succeeding said election, and all the provisions of this Act applicable to townships shall apply to the County; but if all of the townships shall not adopt the Act, then the same shall be of force in the townships in which the same shall be adopted by a majority of the votes cast at said election in said township.

*Act to be in force 1st January succeeding election.*

SEC. 3. If any of the animals enumerated in the first Section of this Act shall hereafter be found at large, or upon the lands of any person other than the owner, in said township, the manager or owner of said animals shall be liable for all damage done by the said animals to the owners of the crops or the lands upon which they trespass.

*Penalty for allowing animals to run at large.*

SEC. 4. In case of trespass, as aforesaid, the aggrieved party may make complaint to a Trial Justice or Justice of the Peace of the County in which the trespass was committed, who shall issue his warrant immediately, returnable within five days from the date

*Complaint to be made; to whom.*

thereof; and at the time and place named in the warrant the case will be tried, and the amount of damages sustained by the complainant be ascertained, and judgment given for the same, with legal costs, as in the case of other warrants.

A. D. 1877.

SEC. 5. Whenever any township or County shall adopt the Act, and it shall become necessary to protect the lands in said township or County from the incursion of stock or cattle from any adjoining township or County, the Commissioners of the County are authorized to erect fences along such lines of the township or County as are exposed to such incursions, and for that purpose to enter upon the lands of any person in said township and to erect such fence thereon without being guilty of any trespass whatever. And the said Commissioners shall have power and authority to construct fences across any public or private road: *Provided*, That proper gates are established on such public or private roads; and to levy and collect a tax upon the property of said township or County to defray the expenses of erecting and maintaining said fences, said tax to be collected at the same time and in the same manner as other State and County taxes are levied and collected. And the County Commissioners are authorized and empowered to make such arrangements with the owners of property contiguous to and on either side of the township or County lines as may accomplish the object of protecting the County or township from the incursion of cattle or stock.

Commissioners to erect fences to protect lands from incursions from adjoining townships.

Proviso.

SEC. 6. The laws now of force in regard to the erection and maintenance of fences shall apply to any fence erected in pursuance of the foregoing Section; and all persons disturbing or injuring said fences shall be punishable as provided in said laws; and all cattle breaking said fences shall be dealt with as provided in said laws.

Persons injuring fences to be punished.

SEC. 7. It shall be the duty of any person or persons driving stock, such as cattle, horses, mules, sheep or hogs, through the public roads of any County to so herd and drive the same that they shall not be allowed to enter upon or work injury to the lands or crops of the citizens of said County.

Drivers of stock to prevent them injuring lands.

SEC. 8. It shall be the duty of each and every employer in any County or township which shall adopt the provisions of this Act to furnish each and every employee hired by him with pasturage for as many head of stock owned by such employee as may be agreed upon, not exceeding two head of cattle to every field hand in amount: *Provided*, Such employee shall perform his proportionate amount of labor to keep up the enclosure of such pasture.

Employers in Counties adopting this Act must furnish employees with pasturage.

Proviso.

A. D. 1877.

SEC. 9. That none of the provisions of this Act shall apply to the Counties of Horry, Colleton, Beaufort, Charleston, Williamsburg or Georgetown.

Approved June 7, 1877.

NO. 241. AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1876.

Salaries of  
Executive and  
Judicial offi-  
cers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred and forty-three thousand and one hundred dollars be, and the same is hereby, appropriated to pay the salaries of the executive and judicial officers of the State, and the clerks and the contingent expenses of the executive and judicial departments for the fiscal year commencing November 1, 1876, that is to say:

Executive offi-  
cers.

1. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, twelve hundred and seventy-five dollars; for the salary of the Governor's Messenger, three hundred dollars.

2. For the salary of the Lieutenant Governor, twenty-five hundred dollars.

3. For the salary of the Secretary of State, two thousand one hundred dollars; for the salary of the Clerk of the Secretary of State, twelve hundred and seventy-five dollars; for the Porter in the office of the Secretary of State, one hundred and fifty dollars.

4. For the salary of the Comptroller General, two thousand one hundred dollars; for clerical services in the office of the Comptroller General, twenty-five hundred and fifty dollars, if so much be necessary.

5. For the salary of the State Treasurer, eighteen hundred and seventy-five dollars; for clerical services in the office of the State Treasurer, twenty-four hundred and seventy-five dollars.

6. For the salary of the Adjutant and Inspector General, twelve hundred dollars; for the Clerk of the Adjutant and Inspector General, nine hundred dollars.

7. For the salary of the Attorney General, two thousand one hundred dollars; for the salary of the Clerk of the Attorney General, one thousand two hundred dollars. A. D. 1877.

8. For the salary of the State Superintendent of Education, one thousand eight hundred and seventy-five dollars; for the salary of the Clerk of the State Superintendent of Education, nine hundred dollars.

9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of the two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, one thousand dollars; for the State Reporter, one thousand dollars; for the Attendant upon the library and the rooms of the Supreme Court, said Attendant to be appointed by and removable at the pleasure of said Court, one hundred dollars; for the purchase of books for the library of the Supreme Court, three hundred dollars, to be paid on the order of the Chief Justice. Judicial officers.

10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salaries of the eight Circuit Solicitors, twelve thousand dollars.

11. For the salary of the Keeper of the State House and State Librarian, five hundred dollars; for the salaries of two Watchmen for the State House and grounds, three hundred dollars each. Keeper of the State House.

12. For the salary of the Superintendent of the State Lunatic Asylum, two thousand dollars; for the salary of the Superintendent of the State Penitentiary, one thousand six hundred dollars; for the salary of the Physician of the State Penitentiary, five hundred dollars. Superintendents of Lunatic Asylum and Penitentiary.

13. For the salaries of the County Auditors, twenty thousand three hundred dollars. County Auditors.

14. For the salaries of the County School Commissioners, nine thousand seven hundred and fifty dollars, if so much be necessary. School Commissioners.

15. For the salary of the Health Officer of Charleston, one thousand dollars; for the salary of the Health Officer of Georgetown, four hundred dollars; for the salaries of the Health Officers of Hilton Head and St. Helena Sound, five hundred dollars each; for the expenses of maintaining quarantine, one thousand dollars; for the Keeper of the Lazaretto, four hundred dollars. Health Officers

16. For the contingent fund of the Governor, ten thousand dollars; for the contingent fund of the State Treasurer, two hundred dollars; for the contingent fund of the Secretary of State, two hundred dollars; for repairing and rebinding certain books in the Contingent funds of officers

A. D. 1877.

Appropriation for printing books and blanks for County Treasurers and Auditors.

office of the Secretary of State, three hundred dollars, to be paid out of any money in the Treasury not otherwise disposed of; for the contingent fund of the State Superintendent of Education, two hundred dollars; for the contingent fund of the Attorney General, two hundred dollars; for the contingent fund of the Comptroller General, two hundred dollars; for the contingent fund of the Adjutant and Inspector General, one hundred dollars; for the contingent fund of the State Librarian, two hundred dollars; for the contingent expenses of the Supreme Court, four hundred and fifty dollars; for the expenses of litigation in the office of the Attorney General, five thousand dollars, to be paid upon the warrant of the Comptroller General, upon the application of the Attorney General; for printing books and blanks for the County Treasurers and Auditors and all other papers necessary for the collection of taxes, two thousand dollars, to be disbursed upon the order of the Comptroller General; for the payment of accounts for publishing the State Treasurer's monthly statement for the fiscal year 1876-1877, five hundred dollars.

Appropriation for support and maintenance of penal and charitable institutions.

SEC. 2. That the sum of one hundred and one thousand and three hundred dollars be, and the same is hereby, appropriated for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1876, as follows:

Penitentiary.

1. For the support of the State Penitentiary, twenty-five thousand dollars, if so much be necessary, to be paid on the warrants of the Comptroller General, on the application of the Superintendent, approved by the Board of Directors.

Lunatic Asylum.

2. For the support of the State Lunatic Asylum, fifty thousand dollars, if so much be necessary, to be paid on the warrants of the Comptroller General, on the application of the Superintendent, approved by the Board of Regents.

State Orphan Asylum.

3. For the support of the State Orphan Asylum, one thousand five hundred dollars, in addition to the amount already paid for the present fiscal year, to be paid on the order of the Board of Trustees; for the Deaf and Dumb and Blind Asylum, five thousand dollars, to be paid out on the warrants of the Comptroller General, upon the application of the Chairman and Secretary of the Board of Commissioners of the Deaf and Dumb and Blind.

Catawba Indians.

4. For the Catawba Indians, eight hundred dollars, payable on the warrants of the Comptroller General, on application of the Agent.

Librarian State University.

5. For the salary of the Librarian of the State University, who shall have charge of the buildings and the grounds, five hundred



dollars; and for insurance and repairs of the buildings, one thousand dollars, to be paid on the warrants of the Comptroller General, on application of the Librarian.

A. D. 1877.

6. For the payment of interest on bonds of the State Agricultural College and Mechanics' Institute, seven thousand five hundred dollars, to be paid in accordance with the law establishing the same.

Interest on bonds of State Agricultural College and Mechanics' Institute.

SEC. 3. That the sum of ten thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the public printing of the two houses of the General Assembly for the regular session of 1876, and the special session thereof that was begun to be holden April 24, 1877.

Appropriation for public printing of two houses General Assembly.

SEC. 4. That the sum of one hundred thousand dollars, exclusive of the amounts of the proceeds of the poll tax for the support and maintenance of public schools, be, and the same is hereby, appropriated, one thousand dollars (if so much be necessary) of which shall be expended in printing blank forms for the use of said schools, to be disbursed on the order of the State Superintendent of Education; and the State Superintendent of Education is hereby authorized and directed to apportion the amount so appropriated upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1876; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the several school districts of their respective Counties: *Provided*, This Act shall not be construed to repeal an Act to provide for the payment of past due school claims in the several Counties in this State, approved March 3, 1874: *Provided, further*, That no other tax shall be levied or collected for the maintenance of free schools in any County or township in this State. The County Treasurers of the various Counties are hereby authorized and required to pay school claims arising from deficiencies out of any surplus funds in their hands in the order in which such claims arise.

Money for support of public schools; disbursed by Superintendent of Education.

Proviso.

SEC. 5. That the sum of fifty thousand dollars be, and the same is hereby, appropriated to pay deficiencies of salaries for the fiscal year ending October 31, 1876, said salaries to be paid *pro rata*.

Pay deficiencies for year ending October 31, 1876.

SEC. 6. That the sum of one thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the purchase of one hundred copies of each of the sixth and seventh volumes of the new series of the Supreme Court reports; for furnishing stationery for the executive departments, under an Act relative to contracts for the executive departments of the State government and for the General Assembly, the sum of two thousand three hundred

Purchase of copies of new series Supreme Court Reports.

Furnishing stationery for executive departments and General Assembly.

A. D. 1877.

and eighty-five dollars, if so much be necessary; said sums to be paid upon the warrants of the Comptroller General.

Salaries payable monthly.

SEC. 7. That the amounts appropriated for the payment of salaries in the first and second Sections of this Act shall be payable monthly; and the amount appropriated for contingent funds, as required, on the warrants of the Comptroller General, on the application of the various officers entitled to the same: *Provided*, That the amounts and vouchers upon which such applications are made shall be filed with the Comptroller General before he issues his warrants upon the State Treasurer for the payment of the same.

Appropriations to be accounted for at next session.

SEC. 8. That the moneys herein appropriated to be used as contingent funds and for other purposes by the various officers of the State government shall be duly accounted for by said officers, who shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before December 1, 1877: *Provided*, That no officer authorized to make contracts or draw funds from the said appropriations shall expend or make contracts expending more than has been appropriated for any purpose by this Act.

Appropriation to pay balance per diem and mileage due members of General Assembly for regular session of 1875-76.

SEC. 9. That the sum of four thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the balance of per diem compensation and mileage due the members of the last General Assembly for the regular session of 1875-76. For payment of warrants of the Comptroller General, issued for stationery for Senate Committee rooms and Clerk's office, regular session 1876, eight hundred dollars, to be paid out of the phosphate royalty or any other funds not otherwise appropriated.

Pay of employees for regular session of 1875-76.

SEC. 10. That the sum of six thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the balance of per diem and salary compensation of officers and employees of both houses, due for the regular session of 1875-76, to be paid out of the phosphate royalty or fees of the Land Commission.

SEC. 11. That any balance of specific levies heretofore made and not needed for the same shall be subject to the draft of the Comptroller General, by the approval of the Governor, to be used in payment of deficiencies in appropriations.

SEC. 12. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

AN ACT TO PROVIDE FOR THE DRAWING OF JURIES IN CERTAIN COUNTIES, AND TO AMEND THE LAW IN RELATION TO THE DRAWING OF JURIES.

A. D. 1877.

No. 242.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all Counties of the State where there has been a failure to prepare proper and legal lists of jurors for the year 1877, as prescribed by law, the Board of Jury Commissioners, or a majority thereof, of the said Counties, respectively, shall, within twenty days from the passage of this Act, prepare legal and proper lists of jurors; and from the lists so prepared all grand and petit jurors required by law for the said year 1877 shall be forthwith drawn, summoned and returned in the manner now prescribed by law; and the jurors so drawn shall serve at the general and special terms of the Court first following the time of such drawing, whether or not the same shall have taken place the numbers of days before such general or special term now required by law.

Jury Commissioners shall prepare a proper list of jurors.

SEC. 2. When, by reason of challenge or otherwise, there is a deficiency in the number of grand or petit jurors duly drawn and summoned at any term of the Court in any County of the State, the Judge of the Circuit Court shall order the Board of Jury Commissioners, or a majority thereof, forthwith to attend in Court, and to draw, in the presence and under the direction of the Court, such number of jurors as the Court shall deem necessary to fill such deficiency; the jurors so drawn to reside within five miles of the court house, and when drawn shall attend and serve during the term, except for the County of Charleston, who shall serve in accordance with the law relating to juries in said County. And no juror who has been drawn to serve at any term of the Court shall be excused except for good and sufficient cause, upon affidavits, which, together with his application, shall be filed in the office of the Clerk of the Court and remain of record. And no jurors shall be summoned from among the bystanders other than in the manner herein prescribed; and all Acts and parts of Acts providing for the summoning of jurors from the bystanders are hereby repealed.

Provision made for deficiency in number of jurors.

Jurors shall serve during term of Court, except in Charleston.

Jurors can only be excused for good reasons.

SEC. 3. That whenever, during any year, in any County of the State, the list of jurors prepared shall be adjudged illegal or irregular, the Judge of the Circuit Court in and for said County shall order the Board of Jury Commissioners in and for such County forthwith to prepare proper lists of jurors after the manner prescribed by law, and therefrom to draw all such grand and petit

Jurors may be drawn at any time during the year.

A. D. 1877.

jurors as shall be necessary for such year, who shall be drawn, summoned and returned in the manner prescribed by law, and shall serve in like manner as if such lists had been prepared during the month of January in such year and the said jurors drawn therefrom at the time now required by law.

Rules for  
Jury Commis-  
sioners.

SEC. 4. That when the jury lists are prepared by the Jury Commissioners for each year, they shall place in a separate apartment in the jury box the names of fifty persons qualified by law to serve as jurors, who reside within five miles of the court house, from which shall be drawn the jurors to supply the deficiencies provided for in the second Section of this Act: *Provided*, That in the County of Richland the number of names to be placed in the separate apartment heretofore provided for shall be one hundred, and in the County of Charleston two hundred and fifty.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

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No. 243. AN ACT TO PROVIDE FOR AND REGULATE THE PUBLIC PRINTING OF SOUTH CAROLINA.

Call for pro-  
posals.

Amount of  
printing to be  
done.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Clerk of the Senate and the Clerk of the House of Representatives to cause to be published in one daily newspaper in the city of Columbia having the largest circulation, and in one daily newspaper in the city of Charleston having the largest circulation, for ten days, a call for proposals to do the State printing, which call shall set forth the character of the work to be executed as follows: Fifty copies per day of the Senate calendar; one hundred and fifty copies per day of the House calendar; fifty copies per day of the Senate journal; one hundred and fifty copies per day of the House journal; fifty copies per day of the Senate resolutions; one hundred and fifty copies per day of the House resolutions; fifty copies per day of the Senate bills; one hundred and fifty copies per day of the House bills; one thousand five hundred copies of the Governor's message, with paper covers, for the use of the Legislature and the executive departments; three hundred copies each of the reports of the State Treasurer, Attorney General, Secretary of State, Comptroller General, Adjutant and Inspector

General, Superintendent of Education; three hundred copies each of the reports of the various public institutions, such as Penitentiary, Orphan Asylum, Deaf, Dumb and Blind Institute, and Lunatic Asylum; two thousand five hundred copies of the Acts and Joint Resolutions, three hundred copies of which shall be bound in calf, two hundred copies in cloth, with leather backs and corners, and two thousand copies to be bound in paper covers; five hundred copies each of the journals of the Senate and House of Representatives, half of each to be bound in cloth, with leather backs and corners, the remainder in paper covers; five hundred copies of the reports and resolutions, one-half to be bound in cloth, with leather backs and corners, the remainder in paper covers. The proposals shall state at what price per page the bidder will execute the several classes of work respectively, and also what additional charge per page he will make for rule and figure work. The Clerks of the two houses shall furnish to bidders specimens of the above classes of printing, which shall be printed on paper of the following qualities, to wit: Bills on sixteen-pound white flat cap paper; temporary journals, calendars, reports and resolutions on paper weighing forty pounds to the ream; permanent journals, Acts, Governor's message, reports and resolutions on paper weighing forty-five pounds to the ream; decisions of the Supreme Court on paper weighing sixty pounds to the ream.

A. D. 1877.

Proposals to  
state price per  
page.

Clerks of two  
houses to fur-  
nish specimens  
to bidders.

SEC. 2. All printing for the executive departments shall be awarded to the lowest responsible bidder by the head of each department; and the heads of departments shall certify as to the faithful execution of the work ordered; and such printing shall be paid for at the end of each month.

Printing to  
be awarded  
lowest respon-  
sible bidder  
and be paid for  
monthly.

SEC. 3. The contract for performing the legislative printing shall be awarded to the lowest responsible bidder, who shall give a bond in the sum of ten thousand dollars, conditioned for the faithful performance of the work; said bond to be approved by the Attorney General.

Amount of  
bond.

SEC. 4. That the laws, journals and all other printing in book form shall be set in long primer type, in pages to contain at least one thousand seven hundred ems each. All rule and figure work accompanying the Acts, journals and reports and resolutions to be in the same type as the body of the work; the side and foot notes to be in minion or nonpareil type, and the indexes to be in brier or long primer type. Bills and Joint Resolutions of the two houses shall be printed in pica type, each line slugged or regletted to the space of one line pica type, printed in pages of thirty-six ems of pica type in width and fifty-eight ems of pica type

Style in which  
printing must  
be done.

A. D. 1877. in length, including the folio and foot line, the lines to be numbered according to Sections.

Proposals to be filed with Secretary of State. SEC. 5. Proposals for the public printing, enclosed in an envelope, sealed with wax, and endorsed "proposals for the public printing," shall be filed with the Secretary of State within the ten days of ad-

By whom opened. vertisement for proposals, and said proposals shall be opened by the Chairman of the Committee on Printing of each house, in the presence of said Committees jointly; and the contract shall be awarded by said Committees on Printing on the last day of the present session, (which contract shall take effect immediately and continue in force until the award of the next contract); that on the last day of

When to take effect. After next General Assembly, contract to continue for two years. the next regular session the contract for two years, beginning with the opening session of the ensuing General Assembly, shall be awarded by said Committees on Printing, in accordance with the terms of this Act, and regularly thereafter on the last day of each

Proviso. regular session biennially: *Provided*, That if the Legislature shall have adjourned before the day appointed for receiving the proposals and awarding the contract at this session, the Governor, Comptroller General and Secretary of State shall open the proposals and award the contract in accordance with the provisions of this Act.

Faithful performance of the work to be certified to. SEC. 6. The faithful performance of the printing for each house shall be certified by their respective presiding officers and clerks: *Provided*, That in the absence of said officers from the seat of government, the Secretary of State, to whom the work may be delivered, shall certify to its proper execution: *Provided, further*, That a specimen copy of each class of work, with the accounts of the same sworn to, be filed in the office of the Comptroller General.

Journals to be furnished printer. SEC. 7. The Clerks of the two houses shall furnish the Printer corrected journals daily for the permanent printing.

Sum allowed Secretary of State for indexing Acts. SEC. 8. The indexing and making marginal notes of Acts and Joint Resolutions shall be performed in the office of the Secretary of State, and under his supervision; and the Secretary of State shall be allowed the sum of two hundred dollars for said clerical work.

When advertisement shall be made. SEC. 9. Advertisement for proposals to execute the public printing shall be made immediately upon the passage of this Act; again on the first day of the next regular session, and biennially thereafter on the first day of the regular session of the General Assembly.

SEC. 10. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved June 8, 1877.

AN ACT TO UTILIZE THE CONVICT LABOR OF THIS STATE.

A. D. 1877.

No. 244.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That His Excellency the Governor be, and he is, by and with the advice of the Senate, authorized to appoint three suitable citizens of this State, who shall constitute a Board of Directors of the State Penitentiary, with a term of office of two years, of which Board the Governor of the State shall be *ex officio* a member. The said Board shall have a general supervision of the Penitentiary, its inmates, property, &c., and shall meet at least once in every month, and oftener if necessary, upon the call of the Governor, and shall receive as compensation three dollars per diem, not to exceed the sum of one hundred dollars for each and every year, to be paid by the contractor or contractors.

Governor authorized to appoint three citizens as a Board of Directors of the State Penitentiary.

Governor *ex officio* a member.

Powers and duties.

Compensation.

SEC. 2. That in case of the death or resignation of any member of said Board, the Governor is authorized to fill said vacancy during the recess of the General Assembly.

Governor to fill vacancies.

SEC. 3. That the said Board of Directors shall, as soon as practicable after the passage of this Act, advertise for proposals for completing the Penitentiary according to plans and specifications to be agreed on and published by the said Board, including the labor of such number of convicts as may be designated by said Board of Directors, together with the property, fixtures, water privileges and everything appertaining to the said Penitentiary; such contract or contracts, if entered into by the said Board, to be reported for ratification and approval by the General Assembly at the next regular session.

Board to advertise for proposals for completing Penitentiary.

SEC. 4. That the said Board of Directors are hereby authorized and empowered to lease or hire out upon such terms and conditions as they may think most advantageous to the State, and that will secure the health and confinement of the prisoners, any or all other convicts in the Penitentiary, except the convicts under sentence for murder, rape, arson and manslaughter, under the following rules, regulations and restrictions, with all others imposed by the said Board; that the said Board of Directors shall make an annual report to the General Assembly at the regular sessions of all their actings and doings, showing the number and names of convicts hired out, to whom hired, for what purpose and for what consideration; and as often as any sums of money are received for the labor or hire of said convicts, or any of them, the same shall be paid to the Treasurer of the State, of which a full account shall be given in

Certain convicts may be hired out.

Board must report annually to General Assembly.

A. D. 1877.

Conditions  
on which con-  
vict labor can  
be secured.

said annual report: First, all convicts shall be safely kept within the State and humanely treated, the food, clothing, lodging and modes of punishment to be carefully provided for in any and all contracts; second, convicts shall not be required to labor more than ten hours a day, or on Sundays or holidays: *Provided*, That convicts shall not be hired out for agricultural purposes: *Provided, further*, That nothing herein contained shall be so construed as to affect any contracts heretofore made.

Bond required.

SEC. 5. That the contractor or contractors shall be required to enter into bond in the sum of fifty thousand dollars, with good and sufficient sureties, to be approved by the Board, for the faithful performance of said contract; and any contractor or contractors who shall be guilty of maltreatment, neglect or cruelty towards said convicts shall be liable to indictment, and on conviction shall be punished by imprisonment for a term not more than twelve months nor less than one month, and by fine not more than one thousand dollars and not less than fifty dollars, at the discretion of the Court.

Fine for mal-  
treatment of  
convicts.

Temporary  
contracts may  
be made imme-  
diately.

SEC. 6. That in the interval between the passage of this Act and the approval of any contract which may be made under the provisions of this Act, the Board of Directors be, and are hereby, authorized to make such temporary contracts in reference to the said convict labor as may be deemed proper and expedient, not repugnant to this Act, limited to the twentieth day of December next.

Contractors  
must bear all  
expense of  
maintaining  
convicts.

SEC. 7. That upon the approval and ratification by the General Assembly of any contract or contracts provided for by this Act, the contractor or contractors shall relieve the State from all charges and expenses incident to the maintenance and management of the Penitentiary, except such as may be stipulated to be borne by the State under said contract or contracts.

SEC. 8. That all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved June 8, 1877.

No. 245. AN ACT TO ALTER AND REPEAL SECTION 20 OF AN ACT ENTITLED "AN ACT TO REGULATE ATTACHMENTS," APPROVED SEPTEMBER 24, A. D. 1868.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in



General Assembly, and by the authority of the same, That the first ten words of Section 20 of an Act entitled "An Act to regulate attachments," approved September 24, A. D. 1868, be stricken out, and the rights and remedies in such cases existing before the passage of said Act are hereby restored.

A. D. 1877.

First ten words stricken out.

Rights and remedies heretofore existing restored.

Powers relating to distress for rent conferred on Trial Justices.

SEC. 2. That the powers and duties formerly exercised by Magistrates, so far as the same related to distress for rent, be, and the same are hereby, conferred upon Trial Justices.

Approved June 8, 1877.

AN ACT TO AMEND SECTIONS 55 AND 56, CHAPTER CXX, OF THE REVISED STATUTES, RELATIVE TO LIENS ON CROPS. No. 246.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 55 and 56, Chapter CXX, of the Revised Statutes, relative to liens on crops, and all amendments thereto, are hereby repealed on and after the first of January, 1878.

Repeal of lien law.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved June 8, 1877.

AN ACT TO DISPENSE WITH THE RECORDING OF CERTAIN DEEDS IN THE OFFICE OF THE SECRETARY OF STATE. No. 247.

Whereas doubts have arisen whether conveyances of land made to married women by their husbands, under the provisions of the Constitution of this State, and of the Acts to carry the same into effect, which confer upon married women the right to take conveyances of real estate in their own names, are marriage settlements, within the meaning of the Acts requiring such settlements to be recorded in the office of the Secretary of State:

*Be it therefore enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all deeds and conveyances made since the sixteenth day of April, 1868, whereby lands and tenements which were the estate of their husbands have been conveyed to married women, and which have been duly re-

Deeds and conveyances made to married women to be deemed lawful if recorded in office of Mesne Conveyance.

A. D. 1877.

corded in the office of the Register of Mesne Conveyances for the County in which such lands and tenements are situate, shall be deemed good and effectual in the law, to all intents and purposes, as if the same had been recorded in the office of the Secretary of State within the time prescribed by law, anything in said Acts to the contrary thereof in anywise notwithstanding.

Approved June 8, 1877.

No. 248. AN ACT TO PROHIBIT THE SALE OF SEED COTTON BETWEEN THE TIME OF THE SETTING AND RISING OF THE SUN, AND TO REGULATE THE SALE OF SEED COTTON.

Seed cotton cannot be sold between sunset and sunrise.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, it shall not be lawful for any person to buy or sell, or receive by way of barter, exchange or traffic of any sort, any seed cotton between the hours of sundown and sunrise of any day.

Penalties for violating this Act.

SEC. 2. That any person who shall violate the provisions of Section one (1) of this Act shall, upon conviction in the Court of General Sessions, or of a Trial Justice, be fined the sum of fifty dollars, or imprisoned in the County jail for a period of thirty days, or both, in the discretion of the court.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

No. 249. AN ACT TO REGULATE THE ELECTION OF MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of all Acts and parts of Acts as determine the time and regulate the manner of electing the Mayor and Aldermen of the city of Charleston be, and the same are hereby, repealed.

Election to be held second Tuesday in December.

SEC. 2. The election for Mayor and Aldermen of the city of Charleston shall be held on the second Tuesday in December, eighteen hundred and seventy-seven, and forever thereafter on the same day in every second year.

SEC. 3. For the purpose of conducting such election, it shall be the duty of the Governor, at least sixty days prior to such election, to appoint three persons, who shall constitute a Board of Commissioners of Elections for the city of Charleston, who shall hold their office, unless removed by the Governor, until sixty days before the next election for said city. The Commissioners of Election shall appoint three Managers of Election for each polling place, so that each political party shall be represented.

A. D. 1877.

Governor to appoint Commissioners of Election sixty days prior to election.

SEC. 4. The Commissioners and Managers shall take and subscribe the oath of office prescribed by the Constitution, (Section 30, Article II,) filing the same in the office of the Clerk of the County. At their first meeting, respectively, the Commissioners and Managers aforesaid shall select one of their number as Chairman. The Commissioners and Managers are hereby empowered to administer all necessary oaths.

Commissioners and Managers to file oath with Clerk of Court.

SEC. 5. The Commissioners and each Board of Managers are hereby authorized to appoint a clerk to assist them in whatever duties may be required of them; such clerks to qualify by taking the oath of office prescribed by the Constitution.

Commissioners and Managers to appoint each a clerk.

SEC. 6. The Commissioners of Election shall divide the said city into such number of election precincts as may be convenient and proper for the carrying on of said election, and shall designate some one place in each precinct, respectively, for a polling place therein; and shall, at least five days prior to the day of registration hereinafter mentioned, give public notice, by advertisement in the newspapers published in said city, of the said election precincts and of the polling places therein, and the Managers appointed for each of the same.

Commissioners to designate voting precincts and to advertise the same.

SEC. 7. The Managers of Election shall, thirty days preceding the day of election, proceed to the polling places in and for which they have been respectively appointed, and shall there, for the space of three consecutive days, open lists for the registration of the qualified voters of said city, with their places of residence, and, after due notice, shall openly and publicly revise, for one day, such lists when necessary; the said lists to be open for registration on each of said days between the hours of seven in the forenoon and six in the afternoon, without intermission or adjournment. The registration lists, when completed, shall be lodged with the Commissioners of Election and remain in their custody until needed for the day of election. Any one who desires to make copies of said lists, or to inspect the same, shall be permitted to do so under such regulations as the Commissioners of Election shall prescribe.

Registration thirty days before election.

Registration lists to be lodged with Commissioners of Election.

A. D. 1877.

Registration  
in the election  
precinct where  
the elector re-  
sides and sixty  
days' residence  
in the city re-  
quired.

SEC. 8. The qualifications of an elector shall be those required by the Constitution, together with a residence of sixty days next preceding the election within the corporate limits of the city, and that he has been duly registered in the precinct in which he offers to vote. No person shall be allowed to register save in the election precinct of said city wherein he resides; and no person shall be allowed to vote save at the polling place whereat he has registered.

Managers to  
administer  
oath to electors

SEC. 9. The Managers shall administer to every person offering to register an oath that he is qualified to vote at the election to be held, and that he has truly stated his name and residence and has not registered at any other polling place in the city.

Polls to be  
open from 6 A.  
M. to 6 P. M.

SEC. 10. The polls shall be opened at the polling places which shall have been published at six o'clock in the morning and close at six o'clock in the afternoon of the day of election, and shall be kept open without intermission or adjournment during those hours; and in case the right to vote be challenged, the Managers shall decide the matter summarily, and are hereby authorized in all cases, where they deem it necessary, to examine the person offering to vote, on oath, as to his right to vote.

Voting to be  
by written or  
printed ballot.

SEC. 11. The voting shall be by ballot, which shall contain, written or printed or partly written and partly printed, the names of the persons voted for and the offices to which such persons are intended to be chosen.

Managers to  
count publicly  
the vote and  
make return.

SEC. 12. Immediately upon the closing of the polls, and before leaving the same, the Managers shall at once proceed to count publicly the vote, and make a return thereof to the Commissioners of Election. They shall at the same time deliver to the Commissioners the poll and registration lists, ballot boxes and ballots. As soon as the returns from all the polling places are received, the Commissioners shall meet in the city hall or court house and proceed to canvass the same in public and to declare what persons have been duly elected. They shall have power, and it is made their duty, to investigate and decide any protest or contest that may arise, subject to appeal on questions of law to the Supreme Court.

Commission-  
ers to canvass  
the whole vote  
in public and  
declare who is  
elected.

Commission-  
ers of Election  
to furnish all  
blanks and bal-  
lot boxes.

SEC. 13. The Commissioners of Election shall furnish the Managers with all necessary blank lists, returns, ballot boxes, instructions, and, generally, everything necessary to the proper carrying on of the election.

Mayor and  
Aldermen to  
take oath and  
assume duties  
of office suc-  
ceeding Mon-  
day.

SEC. 14. The Mayor and Aldermen elected under this Act shall, on taking the oath of office prescribed in the Constitution, be inducted into office on the Monday succeeding their election, and shall immediately enter upon the discharge of their duties.

SEC. 15. Upon the registration of the name of each voter, the Managers shall issue to such voter a certificate stating the name of the voter, the date of registration, the precinct in which he has registered, and signed by the Chairman of the Board of Managers and the clerk; and no one shall be allowed to vote on the day of election until he produces his certificate and delivers it to the Managers at the polls, and the same shall be thereupon destroyed.

A. D. 1877.

Managers to give certificate to each registered voter, who shall produce his certificate before voting.

SEC. 16. It shall be the duty of the Commissioners of Election, and they are hereby invested with all the necessary powers, to keep the peace during the whole time that the polls are kept open, as well during the registration as on the day of election, and until the election is completed; and, to prevent all interference with the Managers or electors, all peace officers present at or near the polls shall carry out their instructions.

Commissioners to keep the peace during registration and election.

SEC. 17. All statutes providing against illegal voting or the bribery or intimidation of voters, and for the closing of bar rooms and drinking saloons, not inconsistent with this Act are continued in force so as to apply to any election held under this Act.

Bar rooms to be closed.

All Acts or parts of Acts inconsistent with or supplied by this Act are hereby repealed.

Approved June 8, 1877.

AN ACT TO AMEND SECTION 15 OF CHAPTER XXXIX OF THE GENERAL STATUTES, RELATING TO THE POWER IN SCHOOL DISTRICTS TO LEVY AND COLLECT SPECIAL TAXES FOR SCHOOL PURPOSES. No. 250.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 15 of Chapter XXXIX of the General Statutes be, and the same is hereby, amended by striking out all of subdivision 4 of said Section.

Section 15 of Chap. XXXIX amended by striking out all of subdivision 4.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

A. D. 1877. AN ACT TO REGULATE THE DISBURSEMENTS OF UNDRAWN  
BALANCES IN THE STATE TREASURY.

No. 251.

All unexpended balances of appropriations in the treasury freed from such restriction.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all unexpended balances of appropriations now in the State Treasury be held by the Treasurer of the State freed and discharged from such appropriations and subject and applicable to the appropriation made by this General Assembly. And all Acts and parts of Acts inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

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No. 252. AN ACT TO PROHIBIT THE SAME PERSON FROM HOLDING THE OFFICE OF TRUSTEE AND TEACH A PUBLIC SCHOOL AT THE SAME TIME.

Trustee of public school not to be a teacher.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, it shall not be lawful for any person to hold the office of trustee of public schools and at the same time teach a public school.

Shall forfeit all right to public money.

SEC. 2. That any person who may hereafter hold the office of trustee and at the same time teach a public school in this State shall forfeit all right to any part of the public money which is now or may hereafter be appropriated for the pay of teachers of public schools.

Approved June 8, 1877.

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No. 253. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH CERTAIN STATE SCHOLARSHIPS IN THE UNIVERSITY OF SOUTH CAROLINA."

Abolishing scholarships in University.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish certain State scholarships in the University of South Carolina," approved February 20, 1874, be, and the same is hereby, repealed.

Approved June 8, 1877.

AN ACT TO REGULATE THE INSPECTION AND MEASUREMENT  
OF TIMBER AND LUMBER.

A. D. 1877.

No. 254.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all timber and lumber brought to market for sale at the ports of Charleston, Port Royal, Beaufort and Georgetown shall be measured and inspected by one of the licensed measurers, selected by the seller and buyer jointly; and the measurer so selected shall be entitled individually to the fee earned by him; and the manner of inspection and clasification of both timber and lumber shall be such as may be agreed upon between the buyer and seller.

Lumber to be  
inspected by li-  
censed measur-  
ers.

Manner to be  
agreed upon by  
buyer and sell-  
er.

SEC. 2. Should the buyer and seller fail to agree in the selection of a measurer, then the measurement and inspection and classification may be made by any official measurer.

SEC. 3. The fees to be received by the measurers shall not exceed the following rates, viz.: Ten (10) cents per thousand feet for all square, hewn or round timber; ten (10) cents per thousand feet for all lumber measured by bulk measurement in rafts; and twenty-five (25) cents per thousand feet for all lumber measured and inspected by the piece; the expense of measuring fees to be equally divided between the buyer and seller.

Fees for mea-  
suring.

SEC. 4. Any one violating any of the provisions of this Act shall be subject to a fine of not more than one hundred dollars, nor less than fifty dollars, for each offense.

Fine for vio-  
lating provi-  
sions of this  
Act.

SEC. 5. That an Act entitled "An Act to empower the City Council of Charleston to elect an Inspector General of Timber and Lumber, and for other purposes," ratified March 3, 1874, be, and is hereby, repealed; and all Acts or parts of Acts inconsistent with or repugnant to the provisions of this Act are hereby repealed.

Office of In-  
specter Gen-  
eral of Lumber  
for Charleston.

Approved June 8, 1877.

AN ACT TO REDUCE AND FIX THE PRICE OF DIETING PRIS-  
ONERS.

No. 255.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter the Sheriffs of the different Counties in this State shall be entitled to charge and receive thirty cents per diem for dieting prisoners, and no more, any law or usage to the contrary notwithstanding.

The cost of  
prisoners' diet  
hereafter not to  
exceed thirty  
cents per diem.

Approved June 8, 1877.

A. D. 1877.  
 No. 256.

AN ACT TO AMEND SECTION 17 OF CHAPTER XLV OF THE GENERAL STATUTES, RELATIVE TO PERSONS LIABLE TO WORK ON PUBLIC HIGHWAYS AND ROADS, SO FAR AS THE SAME MAY RELATE TO THE COUNTIES OF SPARTANBURG, CHESTERFIELD AND ABBEVILLE.

Section 17,  
 Chapter XLV,  
 amended.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 17, Chapter XLV, of the General Statutes of the State of South Carolina be, and the same is hereby, amended, so far as the same may relate to the Counties of Spartanburg, Chesterfield and Abbeville, by striking out, on the second line, the words "eighteen and forty-five," and inserting in lieu thereof the words "seventeen and fifty."

Approved June 8, 1877.

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No. 257. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO PERMIT THE INDEPENDENT CITIZENS' FIRE ENGINE COMPANY, OF ORANGEBURG, TO ERECT THEIR ENGINE HOUSE UPON A PORTION OF THE JAIL LOT IN SAID COUNTY.

Fire company  
 to build engine  
 house on jail  
 lot, Orangeburg

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and empowered to permit the Independent Citizens' Fire Engine Company, of Orangeburg, to erect their engine house upon such a portion of the jail lot in the town of Orangeburg as the said County Commissioners may designate as suitable for the purpose, for the period of twenty years.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

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No. 258. AN ACT TO INCORPORATE THE SPARTANBURG AND RUTHERFORD RAILROAD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in



General Assembly, and by the authority of the same, That for the purpose of constructing a railroad from the town of Spartanburg to the North Carolina line, in the direction of Rutherfordton, North Carolina, a company may be formed with a capital stock of not more than five hundred thousand dollars, to be known as the Spartanburg and Rutherford Railroad Company; and said company shall have power to receive, own and transfer real and personal property, to have and use a common seal, and to pass such by-laws, not inconsistent with the Constitution and laws of the State, as may be necessary to carry out the object of the corporation; may sue and be sued, plead and be impleaded, and enjoy all the rights and privileges as conferred by law upon the North Eastern Railroad Company by their original charter: *Provided*, That nothing herein contained shall be so construed as to exempt said company from the payment of taxes.

A. D. 1877.

Purpose of.

Capital stock.

Corporate name.

General powers.

Proviso.

SEC. 2. That for the purpose of raising the capital stock of said company, D. R. Duncan, J. H. Evins, H. L. Farley, E. H. Bobo, John McDowell, J. B. Cleveland, G. Cannon, G. W. H. Legg, L. A. Mills, R. L. Bowden, William K. Blake, Joseph Walker, William McKenney, and such other persons as they or any three of them shall appoint, are hereby constituted and appointed Commissioners, whose duty it shall be to open, or cause to be opened, books of subscription at such times and places as they shall deem best, and under such regulations as they may prescribe; may receive subscriptions, to be paid in money, lands, labor or any valuable securities and any materials necessary for the construction and equipment of said railroad, on such terms and conditions as may be agreed upon.

Books opened for subscription.

Subscription: receivable in what.

Sec. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company it shall be the duty of said Commissioners, or any five of them, to call a meeting of the stockholders, after giving reasonable notice of the time and place of such meeting. A majority of the stock subscribed shall be necessary to constitute a quorum to do business in all meetings of the stockholders. Said stock may be represented in person or by proxy, and stockholders shall be entitled to one vote for each share held by them in all meetings of said company. Said stockholders shall at their first general meeting elect a President and seven Directors, who shall hold their offices for one year and until their successors are elected.

Stockholders to meet when \$10,000 of stock is subscribed.

Majority of stock to constitute a quorum.

Stock represented by person or proxy.

To elect a President and seven Directors

SEC. 4. It shall be the duty of said company to hold general meetings annually, at such times and places as may be agreed on, for the election of President and Directors. Said President and

To hold annual meetings of company.

A. D. 1877.

President  
and Directors  
to report at an-  
nual meeting.

Board of Di-  
rectors to ap-  
point engineers  
and fix salaries.

Right of way  
to be assessed.

Company to  
control 100 feet  
on each side of  
railroad.

Company may  
consolidate  
with other  
roads, and may  
adopt a corpo-  
rate name.

Company may  
issue coupon  
bonds.

Shares of  
stock to be \$100  
each.

Directors shall report to the meeting of stockholders at each annual meeting a statement of the business and general condition of said company.

SEC. 5. The Board of Directors shall have power to elect or appoint such officers and engineers as may be necessary and fix salaries and hire of both. The President and other officers or employees may discharge and fill vacancies of all employees by them elected or appointed, and may also fill vacancies in their Board, which shall be valid until the next general election.

SEC. 6. Whenever the right of way over the lands of any person cannot be obtained by agreement, the same to be assessed according to the laws of the State prescribing the same.

SEC. 7. Said company may have the right to take for the construction and maintenance of said road one hundred feet on each side of said road bed; may use and enjoy undisturbed possession of the same for the transportation of freights and passengers, charging reasonably for the same.

SEC. 8. May lease, transfer or farm out said road or any part thereof: *Provided*, The consent of the stockholders be first obtained.

SEC. 9. May unite and consolidate with any other railroad now built or hereafter to be built in this State or in the State of North Carolina upon such terms and conditions as may be agreed upon: *Provided*, The consent of the stockholders be first had; and may adopt such corporate name as may be agreed upon by said companies thus consolidating: *Provided*, Such consolidation shall not in any way impair any debt or debts said company may have contracted.

SEC. 10. Said company shall be authorized to issue coupon bonds, to be secured by a mortgage or other lien on said road, together with all its property and effects, both real and personal, bearing interest at a rate not exceeding seven per centum per annum, and payable at such time as may be deemed best for the interest of the company. The shares to the capital stock shall be one hundred dollars each. Any transfer, lease or consolidation of the property of said company shall be submitted to a meeting of the stockholders, and by them ratified, before the same shall be legal and binding.

Approved June 8, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE  
THE CAMDEN BUILDING AND LOAN ASSOCIATION."

A. D. 1877.

No. 259.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the General Assembly entitled "An Act to incorporate the Camden Building and Loan Association," approved March 25, 1876, be, and the same is hereby, amended by the addition thereto of the following Section: "That whenever the said corporation shall so determine, they shall have power to issue new certificates of stock, from time to time, upon such terms as they may deem just and equitable: *Provided*, That the entire number of shares in the capital stock of said corporation shall not exceed one thousand."

Corporation  
may issue new  
certificates of  
stock.

Proviso.

Approved June 8, 1877.

## AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LAURENS." No. 260.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of said Act be so altered and amended as to reduce the corporate limits of the said town from "one and a half-miles North, South, East and West from the court house, forming a circle," to one mile in each direction from the court house as aforesaid, retaining the form of a circle.

Limits of town  
reduced.

Approved June 8, 1877.

## AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF HONEA PATH, ANDERSON COUNTY. No. 261.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the town of Honea Path be renewed, and amended so as to conform to the charter of the town of Anderson, and all amendments thereto, up to the passage of this Act, except as to the limits of the said town, which shall extend one-half mile in every direction from

Charter to  
conform to that  
of Anderson.

Limits.

A. D. 1877.  
Further  
amendment.

the Greenville and Columbia Railroad depot; and the further amendment of the said charter, in Section 22: strike out that part between the word "list," in the twentieth line, and the word "that," in the twenty-sixth line.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved June 8, 1877.

No. 262. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF JOHNSON'S TURN OUT, IN THE COUNTY OF EDGEFIELD."

Amended by  
striking out the  
words "Turn  
Out."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met, and sitting in General Assembly, and by the authority of the same, That the said Act of incorporation, approved February 6, 1876, be, and the same is hereby, amended by striking out the words "Turn Out" wherever the same occur in the said Act.

Streets may  
be altered.

Proviso.

SEC. 2. That the Intendant and Wardens of said town shall have full power and authority to open new streets in said town, and to close up, widen or otherwise alter those now in use or which may hereafter be established, whenever, in their judgment, the same may be necessary for the improvement or convenience of said town: *Provided*, That they shall first pay damages, should any be claimed, to the land owner or owners through or adjoining whose premises such street or streets may run; said damages to be fixed and determined by five freeholders of said town, two of whom shall be chosen by the said Town Council, two by said land owner or owners and the fifth by the persons so chosen, and who, before assessing said damages, shall be sworn to do impartial justice between said town of Johnson's and said land owner or owners: *And provided, further*, That should such land owner or owners refuse or neglect, after ten days' notice from said Town Council, to nominate two freeholders for the purpose above indicated, then the said Town Council may appoint the same, who shall proceed as if appointed by said land owner or owners; and in all cases the judgment of the said five freeholders shall be a final determination of the matter.

Further pro-  
viso.

Public weights  
to be kept.

SEC. 3. That the Intendant and Wardens of the said town of Johnson's are hereby authorized and empowered to establish and keep up one or more public scales or scale houses, with proper scales and weights, for weighing cotton and other articles sold by

weight in said town, by and at the expense of said town. That the said Intendant and Wardens be, and are hereby, authorized to appoint one or more Public Weighers, who shall be sworn by said Intendant faithfully to perform the duties of said office, and who shall be removable for misconduct or incompetency by said Intendant and Wardens; and where reference is had to any of the public scales used by said Weighers by the authority of said Intendant and Wardens, on the same day that the contract of sale is made, the certificate of the Weigher shall be conclusive evidence of the weight of the cotton, or any other article sold by weight, in any Court of justice in which an action shall be pending touching the weight of such articles; and the said Intendant and Wardens are hereby authorized to assess a sum not exceeding ten (10) cents on each bale of cotton, and a proportionate sum on other articles weighed, to be paid by the seller, for the use of said town. That the public scales and weights established in pursuance of this Act shall be the standard to which all others in said town shall conform; and if any person shall use, in weighing any article whatsoever sold in said town, weights and scales differing from the said standard, such person, on conviction in the Court of Sessions for Edgefield County, shall be fined and imprisoned at the discretion of the Court.

A. D. 1877.

Public Weighers appointed.

Certificate of Weigher to be conclusive evidence.

Assessment on articles weighed.

Public scales to be the standard.

SEC. 4. That whenever the said Town Council shall impose a fine upon a party convicted of an offense who shall refuse, fail or be unable to pay the same, the said Town Council shall have power and authority to commute the sentence of such person to that of labor on the public streets of said town for a period not exceeding ten days.

Persons failing to pay fines must work on streets.

SEC. 5. That all Acts or parts of Acts that are inconsistent with this Act be, and the same are hereby, repealed.

Approved June 8, 1877.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF CHESTNUT GROVE, IN THE COUNTY OF CHESTER." No. 263.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Chestnut Grove, in the County of Ches-

A. D. 1877.  
 Repealing  
 clause.

ter," which became law the fourteenth March, 1876, (the same not having been returned by the Governor, as provided by the Constitution,) be, and the same is hereby, repealed.

Approved June 8, 1877.

No. 264. AN ACT TO INCORPORATE THE TOWN OF ELKO, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State having resided sixty days in the town of Elko shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Elko, and its corporate limits shall be held and deemed to extend one-half of one mile on lines extending at right angles to each other from the South Carolina Railroad depot as a central point, and respectively perpendicular to and parallel with the railroad avenue, forming a square area.

SEC. 2. That the town shall be governed by an Intendant and four Wardens, who shall be citizens of the State and shall have been residents of the said town sixty days immediately preceding their election; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens; paupers and persons under disabilities for crime excepted.

SEC. 3. That the first election for Intendant and Wardens under this Act shall be held on the second Tuesday in July next, and that the Clerk of the Court of Common Pleas for Barnwell County shall designate three suitable persons, citizens of said town, to act as Managers of the election.

SEC. 4. That all elections for Intendant and Wardens of said town subsequent to the first election hereinbefore provided for shall be held on the third Wednesday in February in each year.

SEC. 5. That the said corporation shall have the same powers and privileges, and be subject in every respect to the provisions of the charter granted to the town of Williston by an Act entitled "An

Act to renew and amend the charter of the town of Williston, in the County of Barnwell," approved March 4, 1876, so far as consistent with the provisions of this Act.

A. D. 1877.

SEC. 6. That this Act shall be deemed a public Act, and shall remain in force until repealed.

Approved June 8, 1877.

AN ACT TO INCORPORATE THE TOWN OF SUMMIT, IN THE COUNTY OF LEXINGTON. No. 265.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from after the passage of this Act, all citizens of the United States who have resided twelve months in this State and sixty days in the town of Summit shall be deemed; and are hereby declared, a body politic and corporate; and the said town shall be called and known by the name of Summit, and its corporate limits shall extend one-fourth of one mile from the depot of the Charlotte, Columbia and Augusta Railroad Company at said place, in a direction due North, South, East and West, and shall include a square formed upon the extremities of lines so drawn.

Corporators.

Corporate  
name.  
Limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and of this State, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of the said town on the third Monday in July, 1877, ten days' public notice being previously given thereof; and that all male inhabitants of the age of twenty-one years, citizens of the United States, who shall have resided twelve months in this State, and in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens.

Officers.

Time of election.  
Ten days' notice to be given.

Who may vote.

SEC. 3. That for the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Lexington County shall designate three suitable persons, citizens of said town, to act as Managers of the election; and the Intendant and Wardens for the time being shall annually appoint Managers to conduct ensuing elections.

Clerk of Court to appoint Managers of first election.  
Intendant and Wardens to appoint Managers in future.

A. D. 1877.

To have same  
powers as town  
of Ninety-Six.

SEC. 4. That the said corporation shall have the same powers and privileges, and be subject in every respect to the provisions of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 5. This Act shall be a public Act, and continue in force until amended or repealed.

Approved June 8, 1877.

No. 266. AN ACT TO CHARTER A FERRY OVER STEPHEN'S CREEK, IN EDGEFIELD COUNTY, AND TO VEST THE SAME IN THE COUNTY COMMISSIONERS OF SAID COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry over Stephen's Creek, on the Savannah River road, be, and the same is hereby, chartered and vested for ninety-nine years in the County Commissioners of Edgefield County, and they are hereby authorized and required to keep said ferry in repair, and to run the same at the expense of the said County, and without charging travelers any toll whatever.

Ferry over  
Stephen's  
Creek to be  
vested in the  
County Com-  
missioners.  
  
No toll to be  
charged.

Approved June 8, 1877.

No. 267. AN ACT TO AUTHORIZE JOHN O. AND RICHARD P. STEWART AND M. S. LYNN TO ERECT AND MAINTAIN A GATE ACROSS CERTAIN ROADS IN YORK COUNTY AND UNION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John O. and Richard P. Stewart be, and they are hereby, authorized and empowered to erect and maintain a gate across a certain road in York County known as Steel Creek road: *Provided*, That said gate shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

Gate to be  
erected across  
Steel Creek  
road in York  
County.

Proviso.

M. S. Lynn  
to erect gate in  
Union County.

SEC. 2. That M. S. Lynn be, and he is hereby, authorized and empowered to erect and maintain a gate across the road leading from Howell's ferry, on Broad River, to Gowdeysville, in Union



County: *Provided*, That said gate be kept in good order and constructed so as to give as little trouble as possible to persons passing.

A. D. 1877.

Proviso.

Approved June 8, 1877.

AN ACT TO AUTHORIZE T. W. WILLETT TO BUILD CERTAIN WHARVES, WAREHOUSES AND ELEVATORS ON BATTERY CREEK, IN BEAUFORT COUNTY. No. 268.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. W. Willett be, and he is hereby, authorized and empowered to build one or more wharves to deep water in front of the property owned by Mrs. T. W. Willett, on Battery Creek, in Beaufort County, and erect thereon, or thereabouts, such warehouses and elevators as may be necessary for commercial purposes, with power to collect wharfage, and use, sell and lease the same for his own use and behalf, subject to any laws now existing or hereafter to be made with reference to said property.

T. W. Willett authorized to build wharves, warehouses and elevators.

May collect wharfage.

SEC. 2. That this Act shall be deemed a public Act, and continue in force for a period of twenty-one years.

Duration.

Approved June 8, 1877.

AN ACT TO AUTHORIZE BENJ. L. BRISBANE TO ERECT A WHARF OR WHARVES ON ANY PROPERTY OWNED BY HIM IN THE TOWN OR CITY OF PORT ROYAL. No. 269.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benj. L. Brisbane be, and he is hereby, authorized and empowered to build a wharf or wharves to deep water on any property owned by him in the town or city of Port Royal, and to collect the usual rates of wharfage on the same.

Benjamin L. Brisbane authorized to build wharves.

SEC. 2. This Act shall be taken and deemed a public Act, and shall remain in force for the period of ninety years.

Duration.

Approved June 8, 1877.

A. D. 1877.

No. 270.

AN ACT TO AUTHORIZE E. A. SCHEPER TO CONSTRUCT A WHARF IN THE TOWN OF BEAUFORT AND TO COLLECT WHARFAGE.

E. A. Scheper  
authorized to  
build a wharf.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. A. Scheper be, and he is hereby, authorized to build a wharf in front of the property owned by him on Bay street, in the town of Beaufort, to deep water, and to collect wharfage on the same; and to use, sell or lease the said wharf for his own use and behalf, subject to any laws now existing or hereafter to be made in reference to said property.

In whom  
vested.

SEC. 2. The franchise herein granted is vested in the said E. A. Scheper, his heirs, executors, administrators and assigns, for the term of ninety-nine years.

Duration.

Approved June 8, 1877.

No. 271. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE TOWN OF ABBEVILLE."

Section 2 of  
Act approved  
March 24, 1876,  
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 2 of said Act of Assembly, approved March 24, A. D. 1876, as allows and directs a salary of four hundred dollars per annum to be paid to each of the Trial Justices therein referred to, in lieu of the fees before that time allowed by law, be, and the same is hereby, repealed.

Section 5 of  
said Act amended.

SEC. 2. That so much of Section 5 of the Act of Assembly hereinbefore referred to allowing and enacting that a salary of two hundred dollars per annum be paid to each of the Constables therein referred to be, and the same is hereby, repealed.

Approved June 8, 1877.

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS  
WITHIN TWO MILES OF LANGLEY FACTORY.

A. D. 1877.

No. 272.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of promoting good morals and for the protection of the Langley Manufacturing Company, in the County of Aiken, no person or persons shall be allowed to retail any kind of intoxicating liquors within two miles of the site of said manufacturing company; and every person or persons so retailing the same shall be, and are hereby, made subject to the pains and penalties now in force for selling intoxicating liquors without a license.

Sale of liquor  
prohibited  
within 2 miles  
of Langley  
Factory.

Penalty.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, for the purposes of this Act, repealed.

Approved June 8, 1877.

AN ACT TO PROHIBIT THE RETAILING OF INTOXICATING LIQUORS WITHIN THREE MILES OF WELLFORD HIGH SCHOOL. No. 273.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the protection of the Wellford High School, in Spartanburg County, no person or persons shall be allowed to retail any intoxicating liquors within three miles of said High School; and every person or persons so retailing the same shall be, and they are hereby, made subject to the pains and penalties now in force for retailing intoxicating liquors without license.

Sale of liquor  
prohibited  
within 3 miles  
of Wellford  
High School.

Approved June 8, 1877.

AN ACT TO PREVENT THE SALE OF SPIRITUOUS LIQUORS WITHIN THREE MILES OF WILLIAMSTON FEMALE COLLEGE, ANDERSON COUNTY. No. 274.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

A. D. 1877.

Sale of liquor  
prohibited  
within 3 miles  
of Williamston  
Female College

Penalty.

and after the passage of this Act, should any person whomsoever sell or expose for sale any spirituous liquor, under any pretense whatsoever, within three miles of Williamston Female College, Anderson County, he shall be guilty of a misdemeanor, and, on conviction thereof, be sentenced to a fine of not less than fifty dollars and imprisonment in the County jail for a term of not less than sixty days.

SEC. 2. All Acts or parts of Acts inconsistent with the provisions herein contained are hereby repealed.

Approved June 8, 1877.

No. 275. AN ACT TO ALTER THE NAMES OF HENRY LAWRENCE RAGIN, ANNIE RAGIN, ANNETTA LILIAN RAGIN AND HENRY DARCIÉ RAGIN TO THE NAMES OF HENRY RAGIN THOMAS, ANNIE THOMAS, ANNETTA LILIAN THOMAS AND HENRY DARCIÉ THOMAS, RESPECTIVELY.

The name of  
Ragin altered  
to that of  
Thomas.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Henry Lawrence Ragin be changed and altered to that of Henry Ragin Thomas; the name of Annie Ragin to that of Annie Thomas; the name of Annetta Lilian Ragin to that of Annetta Lilian Thomas; the name of Henry Darcie Ragin to that of Henry Darcie Thomas; and that from and after the passing of this Act the said Henry Lawrence Ragin, the said Annie Ragin, the said Annetta Lilian Ragin and the said Henry Darcie Ragin shall be known and called as follows: The said Henry Lawrence Ragin by the name of Henry Ragin Thomas; the said Annie Ragin by the name of Annie Thomas; the said Annetta Lilian Ragin by the name of Annetta Lilian Thomas; the said Henry Darcie Ragin by the name of Henry Darcie Thomas.

Approved June 8, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT SUPPLEMENTARY TO CHAPTER XV, TITLE IV, PART I, OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE MILITIA, AND FOR THE BETTER ORGANIZATION AND GOVERNMENT OF THE SAME."

A. D. 1877.

No. 276.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in addition to the body of militia known as the "National Guard," the Governor, as Commander-in-Chief, is hereby authorized to receive all such bodies of citizen soldiery as may have tendered, or may hereafter tender, their services to the State, to constitute the Volunteer State Troops, and to consist of such companies, battalions, regiments, brigades and divisions as may be organized by the authority of the Commander-in-Chief; these troops to uniform themselves, and to be subject to all such regulations as may be prescribed by the Commander-in-Chief and issued from the office of the Adjutant and Inspector-General and published.

In addition to National Guard, Governor to receive citizen soldiery as volunteer State troops.

SEC. 2. The Adjutant and Inspector-General shall appoint an Armorer, who shall take charge of the State Armory in Columbia and keep in order all the arms and munitions contained therein, whose salary shall be two hundred and fifty dollars per annum.

Armorer to be appointed.

SEC. 3. The organization known as the Fourth Brigade, South Carolina Militia, consisting of the Sixteenth and Seventeenth Regiments of Infantry, the First Regiment of Rifles and First Regiment of Artillery, with the Charleston Light Dragoons and German Hussars, shall be revived and embodied in the State Volunteer Troops. Officers of equal grade shall take rank in accordance with the period of time in which they shall have served in any branch of the military of the State. The field officers of the said Fourth Brigade and their successors shall be deemed in law the successors of the original field officers thereof, and shall be entitled to hold and enjoy all rights, franchises and property which were of the said field officers thereof.

Regulations concerning officers of Fourth Brigade.

SEC. 4. Immediately after the passage of this Act, the Governor shall call in all arms, equipments and munitions which are in the hands of any persons not authorized by law to hold the same, and shall require all commands lawfully holding any such State property to file in the office of the Adjutant and Inspector-General a full statement of such property, with the authority under which it is held, and the present condition thereof. The Governor shall have authority to permit the sale or exchange of any military property

Governor to call in arms, &c.

A. D. 1877.

of the State, for the purpose of obtaining other arms, equipments or munitions more suitable to the wants of the State.

Election of  
officers.

SEC. 5. All field officers of battalions, regiments, brigades or divisions shall be elected by the commissioned and non-commissioned officers and privates of the same respectively.

National  
Guard to be  
separate and  
distinct.

SEC. 6. Nothing in this Act contained shall deprive any soldier or officer of the "National Guard" of any right to which he may be entitled in that organization. The said "National Guard" shall continue to exist, and shall be a separate and distinct body.

Charge for  
commissions.

SEC. 7. All commissions issued from the office of the Adjutant and Inspector-General shall be charged for at the rate of one dollar each; the fund thus raised to be devoted to defraying the expense of getting in, repairing and reissuing the arms and munitions belonging to the State.

SEC. 8. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved June 8, 1877.

No. 277. AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1876.

State tax to  
be seven mills.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of seven mills upon every dollar of the value of all taxable property of this State be, and the same is hereby, levied for the following purposes, to wit: To meet appropriations—First to defray the current expenses of the government for the fiscal year ending thirty-first October, 1877; second, to pay the interest due the first of January, 1877, and the first of July, 1877, upon the consolidated bonds and certificates of stock which have been issued under the Act to reduce the volume of the public debt and provide for the

For what pur-  
pose levied.

Defray ex-  
pense of gov-  
ernment.

Pay interest  
on consolidated  
bonds.

payment of the same, approved December 22, 1873, which shall be found to be valid and *bona fide* by the Commission to investigate the same and be approved by the General Assembly at the next regular session thereof; and, third, to pay such other indebtedness of the State as may be reported to be valid by the said Commission, and to which it may be applied by the General Assembly at its next regular session. Should the proceeds of said tax be insufficient to meet all the payments provided for in this Act, the

Pay other  
valid indebted-  
ness.

Governor is hereby authorized to borrow, on the credit of the State, such sum, not exceeding one hundred thousand dollars, as may be necessary to meet such deficiency.

A. D. 1877.

Governor authorized to borrow \$100,000 in case of deficiency.  
County tax three mills.

SEC. 2. That a tax not to exceed three mills upon every dollar of the value of all taxable property in each of the several Counties in this State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1876; except the Counties of Charleston and Union, in which a tax not to exceed two mills shall be levied; the rate to be fixed by the County Commissioners in and for each County, and by them certified to the respective County Auditors of the said several Counties; except as to the County of Horry, in which the County Commissioners shall levy an additional tax of two mills to pay the past indebtedness for 1875 and 1876; except the County of Union, in which the County Commissioners shall levy an additional tax of one mill for the payment of past due indebtedness; and except the County of Lancaster, in which the County Commissioners shall levy a tax of two mills on the dollar to pay the past indebtedness of said County, the proceeds of which levy shall be paid *pro rata*; and also except the County of Aiken, in which the County Commissioners shall levy an additional tax of one mill to pay the past indebtedness of said County for the years 1875 and 1876; and except the County of Marlboro, where the County Commissioners be, and they are hereby, authorized and required to levy a special tax of one (1) mill, if so much be necessary, for the purpose of repairing the court house and jail; also the County of Beaufort, where the County Commissioners shall levy a tax of one (1) mill, pursuant to the provision of a Joint Resolution approved March 24, 1876: *Provided*, That nothing contained in this Section shall be construed so as to prevent the County Commissioners of Pickens, Sumter, Newberry, Marion, Williamsburg and Richland collecting a special tax heretofore provided by law to pay the past indebtedness of said Counties; nor the Counties of Orangeburg or Clarendon from collecting the special tax heretofore authorized for the completion of the court house; nor the County Commissioners of Kershaw from levying and collecting the special tax authorized and directed to be levied and collected by an Act of the General Assembly entitled "An Act to authorize the erection of a certain bridge over the Wateree River," approved February 18, 1872; except that the County Commissioners of Spartanburg County be, and they are hereby, authorized and required to apply one-half of one mill of the regular levy of three mills to the payment of bridge contracts for the fiscal year ending first

Additional tax in certain Counties to pay past indebtedness.

Proviso.

A. D. 1877.

November, 1876, if so much be necessary; and they are further-  
more authorized and empowered to levy an additional tax, over  
and above the regular levy of three mills, of one-half of one mill,  
to be applied to the past indebtedness of said County; and they are  
also authorized to apply any balance that may be on hand at the  
close of the present fiscal year ending November 1, 1877, to past  
indebtedness, paying off such claims as were audited prior to first  
November, 1875: *Provided*, Nothing shall be paid for probating  
accounts: *And provided*, That one-half mill of the tax thus levied  
for the County of Orangeburg shall be devoted to the payment of  
the past indebtedness of said County.

Where Treas-  
urer is to de-  
posit proceeds  
of tax levy.

SEC. 3. That all the proceeds of the taxes levied for and on ac-  
count of the State, as specified herein, shall be deposited and kept  
by the State Treasurer in such bank or banks in the cities of Colum-  
bia and Charleston as in the judgment or discretion of the Financial  
Board of the State can afford sufficient protection to the interests of  
the State; and the State Treasurer shall publish in one or more of  
the newspapers published in the cities of Columbia and Charleston  
a monthly statement of all the moneys received by him, and the  
amount paid out, and to whom, and on account of what appropria-  
tion paid, as well as the balance of moneys on hand.

Treasurer to  
publish month-  
ly statement.

County Aud-  
itors and Treas-  
urers required  
to collect taxes  
provided for in  
this Act and no  
other.

SEC. 4. That the County Auditors and County Treasurers of the  
several Counties of this State are hereby required, under the direc-  
tion and supervision of the Comptroller General, to make the col-  
lection of the taxes levied under and pursuant to the provisions of  
this Act in the manner and at the time and under the conditions  
hereinafter to be provided; and they are hereby forbidden to collect  
any other tax, except the taxes to meet the interest and retire the  
bonds issued by Counties in aid of railroads, whatsoever, for the  
fiscal year, unless herein expressly authorized so to do; and any  
State or County officer who shall fail to comply with, or evade or  
attempt to evade, the provisions of this Act shall be deemed guilty  
of a felony, and, upon conviction thereof, shall be punished by  
fine of not less than one thousand dollars nor more than five thou-  
sand dollars, and by imprisonment in the Penitentiary for a period  
of not less than one year nor more than five years.

Poll tax to be  
applied solely  
to educational  
purposes.

From whom  
poll tax is to  
be exacted.

SEC. 5. There shall be assessed on all taxable polls in this State  
a tax of one dollar on each poll, the proceeds of which tax shall be  
applied solely to educational purposes. Every male citizen between  
the ages of twenty-one and sixty years, except those incapable of  
earning a support from being maimed, and except those now ex-  
empt by law, or from any other cause, shall be deemed taxable  
polls; and should any person fail or refuse to pay said poll tax, he



shall be deemed guilty of a misdemeanor, and, on conviction thereof before any Trial Justice, or other Court having jurisdiction of the same, shall be punished by a fine of not less than five dollars, or by imprisonment in the County jail for a term not exceeding thirty days.

A. D. 1877.

SEC. 6. That all taxes assessed and payable under this Act shall be paid in the following kind of funds, and no other: Gold and silver coin, United States currency and national bank notes: *Provided*, That the receipts issued by the agents appointed by the Governor in the several Counties under and by virtue of resolution adopted by the House of Representatives on the twentieth day of December, A. D. 1876, shall be credited by the County Treasurers upon the amounts due and payable by the holders thereof whenever the same may be presented.

In what kind of funds taxes shall be paid.

Payers of the special tax collected under resolution adopted by the House of Representatives Dec. 20, 1876, to be credited by County Treasurers with the same.

SEC. 7. All taxes assessed herein shall be due and payable in two equal instalments, as follows: The first instalment shall be due and payable from the first day of July to the first day of August, 1877, and the second instalment shall be due and payable from the first day of October to the 31st day of October, 1877: *Provided*, That it shall be, and is hereby, left to the option of any person either to pay the amount of the first instalment at the time first above mentioned or to pay the whole amount at the time of the payment of the second instalment thereof: *Provided, further*, That if any person or persons shall fail or refuse to pay his or her taxes due under the first instalment, he, she or they shall be charged with interest thereupon from the first day of August, 1877, to the time of the payment thereof at the rate of one per centum per month; and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same: *Provided*, Nothing herein contained shall operate to prevent any taxpayer from paying the whole amount of his tax at the time the first instalment is payable.

Taxes payable in two equal instalments.

Proviso.

Penalties.

SEC. 8. That the County Treasurer, immediately upon receipt of the tax duplicate for the year from the County Auditor, shall cause a notice to be inserted once in two daily newspapers published at the County seat of his County, if two such papers be there published; if not, then in one such paper; and if no daily paper be published at such County seat, then in two weekly papers published in such County; but if two such weekly papers be not published, then in one such paper; and if no paper be published in the County,

County Treasurer to publish the rate per centum of levy for State purposes and rate per centum for all other purposes.

A. D. 1877.

then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes, and the rate per centum for all other purposes, on the duplicate of the present fiscal year; and if any special levies have been made on the property of a school or other district, not affecting an entire County, the total rate of levies in such district shall also be stated in such notice.

SEC. 9. When the taxes and assessments charged against any party or property on the duplicate for the present fiscal year shall not be paid on or before the 31st day of October, 1877, or when the remainder of such taxes and assessments shall not be paid on or by the said time, with interest at the rate of one per centum per month, as aforesaid, the County Treasurer shall proceed to collect the same by distress or otherwise, as now prescribed by law, together with a penalty of fifteen per cent. on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the fifteenth of November, 1877, or collected by distress or otherwise, the same shall be treated as the delinquent taxes on such real and personal property, and shall be collected by the sale of such real and personal property as hereinafter prescribed.

Delinquent taxes to be collected by distress or otherwise, together with penalty of 15 per cent.

Personal property subject to taxation shall be liable to distress and sale for non-payment of taxes on same.

SEC. 10. All personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments hereunder; and at any time after any taxes or assessments shall become due, according to the provisions of this Act, the County Treasurer, by himself or deputy, may distrain sufficient personal property of the party against whom such taxes or assessments are charged, if the same can be found in his County, to pay the taxes or assessments so due, with any penalty charged or chargeable thereupon, and interest, and the costs that may accrue, and shall immediately advertise the same in three of the most public places in the town or ward or district in which such property shall be distrained, stating the time and place in such town, ward or district when and where such property will be sold; and if the taxes, assessments and penalties for which such property was distrained, together with the costs of the proceeding, shall not be paid before the day appointed for such sale, (which shall not be less than five nor more than ten days after posting up such notices of sale,) such Treasurer, or his deputy, shall proceed at the time and place mentioned in such notices to sell such property, or so much thereof as may be necessary, at public vendue, to the highest bidder; and if such property, or a sufficient amount thereof, shall not be sold at the time and place aforesaid, such Treasurer shall retain the same in his possession and advertise

and offer the same for sale in manner and form aforesaid from time to time until the same shall be sold. A. D. 1877.

SEC. 11. All real property returned delinquent by the County Treasurer, as herein provided, shall be offered for sale by the Treasurer on the first Monday in December, 1877, after due advertisement, as now provided by law, and thereafter from day to day, until the whole amount thereof, as included in the delinquent list, shall be sold; and, except as in this Section provided, the County Treasurer shall proceed in reference to the sale of such delinquent real estate according to the forms and with the conditions now prescribed and required by law: *Provided*, That the cost of said advertising shall not exceed one dollar upon each parcel of land so advertised. Time when property on delinquent list shall be offered for sale.

SEC. 12. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 9, 1877:

AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE No. 278.  
SALARY AND MILEAGE OF THE MEMBERS OF THE GENERAL  
ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFI-  
CERS AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL  
THERE TO.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred and five thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to meet the expenses of the General Assembly at the regular session of November, 1876, remaining unpaid, and the special session that was begun to be holden on the twenty-fourth day of April, 1877, to be paid out of the phosphate royalties now due and any funds in the treasury not otherwise appropriated, the balance, if any, to be paid out of the general levy; said sum to be paid out as follows: For the payment of the salaries and mileage of the members of the General Assembly, seventy-five thousand dollars, or so much thereof as may be necessary; for the salary of J. Woodruff, Clerk of the Senate, one thousand dollars per annum; for the salary of John T. Sloan, Clerk of the House of Representatives, one thousand dollars per annum; for the pay of John A. Barre, Assistant Clerk of the \$105,000 to pay legislative expenses of regular session, remaining unpaid, and of extra session.

\$75,000 to pay members General Assembly.

Pay of clerks and attachées.

A. D. 1877.

Senate, five dollars per day during session ; for the pay of W. McB. Sloan, Assistant Clerk of the House of Representatives, five dollars per diem during session ; for the pay of J. H. Maxwell, Journal Clerk of the House of Representatives, four dollars per diem ; for the pay of R. A. Sisson, Reading Clerk of the Senate, five dollars per diem during session ; for the pay of W. B. Williams, Reading Clerk of the House of Representatives, five dollars per diem during session ; for the pay of J. E. Green, Sergeant-at-Arms of the Senate, five dollars per diem during session ; for the pay of J. D. Brown, Sergeant-at-Arms of the House of Representatives, five dollars per diem during session ; for the pay of David R. Elkins, Assistant Sergeant-at-Arms of the House of Representatives, four dollars per day during the session ; for the pay of R. W. Butler, Bill Clerk of the House of Representatives, three dollars per day during the session ; for the pay of Robert M. Anderson, Chief Messenger of the House of Representatives, three dollars per diem during session and for the last session ; and Robert Jones, Bill Clerk and Chief Messenger of the Senate, three dollars per diem during session ; for the pay of W. G. Bateman, Committee Clerk and Stenographical Reporter, six dollars per day during the session ; and C. Smith, Committee Clerk of the Senate, and J. F. Treutlen, Paul Watson and W. S. Dogan, Committee Clerks of the House of Representatives, four dollars per day, each, during session ; James Brennan and A. S. Richardson, four dollars per day, each, as Committee Clerks in the Senate for regular session, 1876 ; for the pay of J. M. Boland and Mat Brooks, Doorkeepers of the Senate, and Robert McKay, Christopher Haynesworth and James T. Bolan, Doorkeepers of the House of Representatives, two dollars per day, each, during the session ; and Adam Thomas and Hal Williams, two dollars per day, each, as Doorkeepers in the Senate, regular session, 1876 ; for the pay of Hal Williams and John Lee, Laborers of the Senate, Coleman Beattie, John T. Gilmore, Flynn Scott and Joseph M. Murray, Laborers of the House of Representatives, one dollar per day, each, during the session ; and Henry Simmons, Joseph Keene and S. Sanders, one dollar per day, as Laborers of the Senate, regular session, 1876 ; Lewis Grant, Porter in the office of the Clerk of the Senate, and J. F. Savage, Porter of the House of Representatives, one dollar per day, each, during the session and for the last session ; for the pay of Foozle Cantey and J. F. Savage, Messengers of the House of Representatives, two dollars per day, each, during the session ; and for the services of James F. Savage, for twelve days as Messenger during the last session, for the pay of Willie J. E. Lowrance, J. R. Treutlen, Shelton Toland and John Glaze, Jr.,

Pages of the Senate, and Hiram Jefferson, James Cantwell, Samuel McConkey and Augustus Brazill, Pages of the House of Representatives, and J. P. Palmer, Mail Carrier, one dollar per day, each, during the session; and Isaac Cassells, Robert Benbow, William Summerson and John Chestnut, one dollar per day, each, as Pages, regular session, 1876; for the pay of L. T. Levin, Winthrop Williams, W. S. May, J. F. Gadsden, R. A. Lynch, J. B. Bomar, Engrossing Clerks in the office of the Secretary of State, five dollars per day, each, during the session; for the pay of J. S. Cothran, John R. Abney, Henry S. Darby, T. C. Albergotti, Attorneys and Clerks in the office of the Attorney General, five dollars per day, each, during the session; for incidental or contingent expenses of the Senate, five hundred dollars, if so much be necessary, to be paid upon warrants drawn by the President of the Senate and attested by the Clerk of the Senate on accounts audited by the Committee on Contingent Expenses and passed by the Senate; for incidental or contingent expenses of the House of Representatives, one thousand dollars, if so much be necessary, to be paid upon warrants drawn by the Speaker of the House of Representatives and attested by the Clerk of the House on accounts audited by the Committee on Contingent Accounts and passed upon by the House of Representatives.

A. D. 1877.

Pay of engrossing clerks.

Pay of Attorney General's clerks.

SEC. 2. That the President of the Senate and Speaker of the House of Representatives respectively shall furnish pay certificates for the amount of salary and mileage due to each member of the Senate and House of Representatives: *Provided*, The same shall not exceed two hundred dollars for the regular session and four hundred dollars and one mileage for the present session: *Provided, further*, That the amount each member has received heretofore shall be deducted therefrom; and to each officer and employee of that branch of the General Assembly to which such officer or payee shall respectively belong, signed by the respective officers and properly attested to by the Clerk of such branch of the General Assembly.

Certificates to be furnished by President of Senate and Speaker House of Representatives.

SEC. 3. That the payment of contingent accounts shall be made upon certificates of that house in which the accounts are passed, signed by the presiding officer and attested by the Clerk of each house respectively; and the State Treasurer is hereby authorized and directed to pay at his counter said orders or certificates in the following order: First, certificates of members of the Senate and House of Representatives for salary and mileage; second, certificates of Clerks and Assistant Clerks, Journal Clerks, Reading Clerks and Sergeants-at-Arms of the two houses, Assistant Sergeants-

Payment of contingent accounts.

Order in which certificates must be paid.

A. D. 1877.

at-Arms, Doorkeepers and Mail Carriers, Committee and Engrossing Clerks, Attorneys at Law, Bill Clerks, Messengers, Laborers, Pages and Porter; third, certificates or orders for the incidental or contingent expenses.

\$1,500 for stationery for the Senate and House of Representatives.

SEC. 4. The sum of fifteen hundred dollars is hereby appropriated to pay the certificates for stationery issued by the Clerks of the Senate and House of Representatives respectively, as established by law.

Approved June 9, 1877.

No. 279. AN ACT TO FURTHER REDUCE THE NUMBER AND REGULATE THE PAY OF OFFICERS, ATTACHEES, CLERKS AND LABORERS OF THE GENERAL ASSEMBLY, AND TO PROVIDE THE MANNER OF ELECTING, APPOINTING AND PAYING THE SAME.

Senate to elect Clerk; salary \$1,000.  
Reading Clerk \$5 per day.  
Sergeant-at-Arms \$4 per day.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Senate shall, immediately after assembling in regular session following each general election, proceed to the election of a Clerk of the Senate, whose salary shall be one thousand dollars per annum; one Reading Clerk, who shall receive five dollars per day; one Sergeant-at-Arms, who shall receive five dollars per day.

Clerks; their pay.

SEC. 2. That it is hereby made the duty of the President of the Senate to appoint, before the first Monday after the Senate shall have met in regular session following each general election, the following: One Assistant Clerk, who shall be recommended by the Clerk of the Senate, whose duty shall be to assist the Clerk of the Senate in preparing the business of that body, and whose pay shall be four dollars per day; one Chief Messenger and Bill Clerk, who shall receive two dollars per day; two Doorkeepers, who shall receive two dollars per day each; three Laborers, who shall receive one dollar per day each; and two Pages, who shall receive one dollar per day each. And the above named Chief Messenger, Doorkeepers, Laborers and Pages shall be under the control and supervision of the Sergeant-at-Arms of the Senate, and it is hereby made their duty to obey all reasonable orders or commands made by him.

Laborers; their pay.

SEC. 3. That the House of Representatives, immediately after assembling in regular session following each general election, shall proceed to the election of a Clerk of the House of Representatives, whose salary shall be one thousand dollars per annum; one Reading Clerk, who shall receive five dollars per day; one Sergeant-at-Arms, who shall receive five dollars per day.

A. D. 1877.

Clerk House of Representatives' salary \$1,000.  
Reading Clerk \$5 per day.  
Sergeant-at-Arms \$4 per day.

SEC. 4. That it is hereby made the duty of the Speaker of the House of Representatives to appoint, before the first Monday after the House of Representatives shall have met in regular session following each general election, the following: One Assistant Clerk, who shall be appointed on the recommendation of the Clerk of the House, whose duty it shall be to assist the Clerk of the House of Representatives in preparing the business of that body, and whose pay shall be four dollars per day; one Chief Messenger or Bill Clerk, who shall receive three dollars per day; one Journal Clerk, who shall receive four dollars per day; two Doorkeepers, who shall receive two dollars per day each; four Laborers, who, in addition to their other duties, shall perform the duty of Assistant Doorkeepers, and who shall receive one dollar per day each; and four Pages, who shall receive one dollar per day each. And the above named Chief Messenger, Doorkeepers, Laborers and Pages shall be under the control and supervision of the Sergeant-at-Arms, and it is hereby made their duty to obey all reasonable orders or commands made by him.

Clerks and laborers House of Representatives; their pay.

SEC. 5. That it shall be the duty of the Secretary of State to appoint five Engrossing or Enrolling Clerks, whose duty it shall be to engross and enroll, without delay, all Bills, Acts or Resolutions of the General Assembly, under the supervision and direction of the Secretary of State, and who shall receive for such service the sum of four dollars per day each.

Engrossing and Enrolling Clerks \$4 per day.

SEC. 6. That it shall be the duty of the Attorney General to appoint four Clerks, all of whom shall be attorneys at law, whose duty it shall be to prepare, without delay, under his supervision, all Bills, Resolutions and other matter required by the members of the General Assembly for the business of that body, and who shall receive for such service five dollars per day each.

Clerks of Attorney General; their pay.

SEC. 7. No per diem herein provided for shall be payable for any days except those employed in the business of the session.

No per diem except for days actually employed.

SEC. 8. That it shall not be lawful for the General Assembly, or any officer mentioned, to appoint any other clerks, attaches, officers or laborers, or to pay, or promise to pay, any other sums than those herein specifically set forth, except by amendment to this Act or after its repeal.

No other employees can be appointed.

A. D. 1877.

List of employees to be furnished the Clerks of the two Houses; said Clerks to file list with the State Treasurer.

Certificates by whom certified and attested.

The amounts hereby authorized to be paid, to be set forth in appropriation bill.

Office-holders and non-residents may not be appointed.

Penalties for violating this Act.

SEC. 9. That it shall be the duty of all officers making appointments under this Act to furnish a correct list of the same at once to the Clerks of the two Houses, and a copy of the same, together with a list of officers or attachees elected by the Houses, properly attested, shall be filed with the State Treasurer by said Clerks.

SEC. 10. That for the payment of such attachees, as provided for in this Act, the President of the Senate and Speaker of the House, respectively, shall furnish pay certificates for each amount due under their appointment, or by election of their respective Houses, and attested by the respective Clerks thereof; and they shall issue joint certificates to the clerks authorized herein to be appointed by the Secretary of State and Attorney General; attested in each case by both Clerks and certified by the officer under whose appointment they shall serve. And the amounts hereby authorized to be paid shall be specifically set forth in the Bill making appropriation therefor, in full, together with the name of each person to whom the amount is due. And the State Treasurer is prohibited from paying any certificate issued by the authority of the General Assembly for the payment of any officer or attachee of the same, except in conformity with the provisions of this Act.

SEC. 11. That no person holding or exercising the duties of any office, except Circuit Solicitors, shall be eligible to election or appointment under this Act; and no person shall be so eligible who is not a permanent resident of the State.

SEC. 12. Any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment for not less than ten days nor more than six months, or both, at the discretion of the Court.

SEC. 13. This Act shall take effect immediately after its passage. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved June 9, 1877.

#### No. 280. AN ACT TO ESTABLISH UNIFORMITY IN THE SESSIONS OF THE CIRCUIT COURTS.

Whereas the Constitution of the State of South Carolina provides that the Court of General Sessions "shall sit in each County in the State at least three times in each year," and that the Court



of Common Pleas "shall sit in each Judicial District in this State at least twice in every year:"

A. D. 1877.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, The Circuit Courts of the First Circuit shall be held as follows:

Order of  
Courts in the  
First Circuit.

The Court of General Sessions at Charleston, for the County of Charleston, on the first Mondays in February, June and November; and the Court of Common Pleas at the same place on the second Mondays of February, June and November.

The Court of General Sessions at Orangeburg, for the County of Orangeburg, on the first Mondays of January, May and October; and the Court of Common Pleas at the same place on the Wednesdays after the first Mondays in January, May and October.

SEC. 2. The Circuit Courts of the Second Circuit shall be held as follows:

Order of  
Courts in the  
Second Circuit.

The Court of General Sessions at Aiken, for the County of Aiken, on the first Monday in February, June and September; and the Court of Common Pleas at the same place on the Wednesday following the first Mondays in February and September.

The Court of General Sessions at Barnwell, for the County of Barnwell, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Walterboro, for the County of Colleton, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in March and October.

The Court of General Sessions at Beaufort, for the County of Beaufort, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in March and October.

SEC. 3. The Circuit Courts of the Third Circuit shall be held as follows:

Order of  
Courts in the  
Third Circuit.

The Court of General Sessions at Sumter, for the County of Sumter, on the first Monday of February, June and September; and the Court of Common Pleas at the same place on the Mondays following the first Mondays in February and September.

The Court of General Sessions at Manning, for the County of Clarendon, on the third Monday in February, the second Monday

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in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Kingstree, for the County of Williamsburg, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in March and October.

The Court of General Sessions at Georgetown, for the County of Georgetown, on the Mondays after the fourth Mondays in March, June and October; and the Court of Common Pleas at the same place on the Wednesdays following the Mondays after the fourth Mondays in March and October.

Order of  
Courts in the  
Fourth Circuit.

SEC. 4. The Circuit Courts of the Fourth Circuit shall be held as follows:

The Court of General Sessions at Chesterfield Court House, for the County of Chesterfield, on the first Mondays in February, June and September; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in February and September.

The Court of General Sessions at Bennettsville, for the County of Marlboro, on the third Monday in February, second Monday in June and third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Darlington, for the County of Darlington, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in March and October.

The Court of General Sessions at Marion, for the County of Marion, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in March and October.

The Court of General Sessions at Conwayboro, for the County of Horry, on the fourth Monday after the third Monday of March and October; and the Court of Common Pleas at the same place on the Wednesdays following the fourth Mondays after the third Monday in March and October.

SEC. 5. The Circuit Courts of the Fifth Circuit shall be held as follows: A. D. 1877.

The Court of General Sessions at Camden, for the County of Kershaw, on the first Monday in February, June and September; and the Court of Common Pleas at the same place on the Thursdays following the first Mondays in February and September. Order of  
Courts in the  
Fifth Circuit.

The Court of General Sessions at Lexington, for the County of Lexington, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Edgefield, for the County of Edgefield, on the first Monday of March, the third Monday of June and the first Monday of October; and the Court of Common Pleas at the same place on the second Mondays in March and October.

The Court of General Sessions at Columbia, for the County of Richland, on the fourth Monday in March, the first Monday in July and the fourth Monday in October; and the Court of Common Pleas at the same place on the Monday after the fourth Monday in March, the second Monday in July, and the Monday after the fourth Monday in October.

SEC. 6. The Circuit Courts of the Sixth Circuit shall be held as follows: Order of  
Courts in the  
Sixth Circuit.

The Court of General Sessions at Yorkville, for the County of York, on the first Mondays in February, June and September; and the Court of Common Pleas at the same place on the Wednesdays following the Mondays in February and September.

The Court of General Sessions at Lancaster, for the County of Lancaster, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Chester, for the County of Chester, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in March and October.

The Court of General Sessions at Winnsboro, for the County of Fairfield, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in March and October.

A. D. 1877.

Order of  
Courts in the  
Seventh Cir-  
cuit.

SEC. 7. The Circuit Courts of the Seventh Circuit shall be held as follows:

The Court of General Sessions at Newberry, for the County of Newberry, on the first Mondays of February, June and September; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in February and September.

The Court of General Sessions at Laurens, for the County of Laurens, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Union, for the County of Union, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays of March and October.

The Court of General Sessions at Spartanburg, for the County of Spartanburg, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in March and October.

Order of  
Courts in the  
Eighth Circuit.

SEC. 8. The Circuit Courts of the Eighth Circuit shall be held as follows:

The Court of General Sessions at Abbeville, for the County of Abbeville, on the first Mondays in February, June and September; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in February and September.

The Court of General Sessions at Anderson, for the County of Anderson, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

The Court of General Sessions at Walhalla, for the County of Oconee, on the first Monday in March, the third Monday in June and the first Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Mondays in March and October.

The Court of General Sessions at Pickens, for the County of Pickens, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in March and October.

The Court of General Sessions at Greenville, for the County of Greenville, on the Monday after the fourth Monday in March, the first Monday in July, and the Monday after the fourth Monday in October; and the Court of Common Pleas on the Wednesday following the Monday after the fourth Monday in March, the second Monday in July, and the Wednesday following the Monday after the fourth Monday in October.

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SEC. 9. Should the business before the Court of General Sessions at any term be not completed on the arrival of the day fixed by law for the holding of the Court of Common Pleas for any County, the Judge presiding may, in his discretion, adjourn said Court of Common Pleas until the business of the Court of General Sessions shall have been concluded; but in order to keep the business of the Courts separate and distinct, the Court of General Sessions for any County shall be finally adjourned for the term before the opening of the Court of Common Pleas.

When business of Court of General Sessions is not completed within time named, Court of Common Pleas may be adjourned.

SEC. 10. Wherever in this Act it is provided that only terms of the Court of General Sessions shall be held, (from which provision are excepted the Counties of Charleston, Richland and Greenville,) the Judge presiding shall, at the conclusion of the term of any such Court of General Sessions, open the Court of Common Pleas without juries, and give judgments upon failure to answer on calendar six, and may hear such motions and proceedings in equity as may be necessary and which the time of the Court will permit.

Wherever no provision is made in this Act for term of Court of Common Pleas, the Judge shall open such Court.

SEC. 11. All Acts and parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved June 9, 1877.

AN ACT TO PROVIDE FOR THE CUSTODY OF OFFICIAL BONDS OF COUNTY OFFICERS, AND FOR THE EXAMINATION OF THE SAME FROM TIME TO TIME. No. 281.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 7 of Chapter XXVIII of Title VII of the Revised Statutes of South Carolina be amended by striking out the words "State officers" and inserting in lieu thereof the words "public officers of this State."

Amended by inserting the words "public officers of this State."

A. D. 1877.

Sureties to  
bonds shall be  
citizens of the  
Counties where  
principals re-  
side.

SEC. 2. That the sureties to the several bonds of the County officers herein referred to and required by law shall be in every case citizens of the several Counties in which their principals respectively hold office.

Approved June 9, 1877.

No. 282. AN ACT TO AUTHORIZE THE GOVERNOR TO SATISFY JUDGMENTS ENTERED IN FAVOR OF THE STATE.

Governor may  
direct the At-  
torney General  
to satisfy or  
discharge judg-  
ments in favor  
of State.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor may, in any case where he shall deem it to be for the best interest of the State, in any adjustment relating to its finance, to have satisfied or discharged of record any judgment now entered in favor of the State in any suit or action against any individual or corporation, direct the Attorney General to cause an order to be entered to satisfy or discharge the same of record.

Duty of At-  
torney General  
in this case.

SEC. 2. Upon the direction of the Governor to the Attorney General to cause such satisfaction or discharge to be entered, it shall be his duty to cause the same to be done.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved June 9, 1877.

No. 283. AN ACT TO PRESCRIBE THE MODE OF PROVING BILLS OF THE BANK OF THE STATE TENDERED FOR TAXES AND THE RULES OF EVIDENCE APPLICABLE THERETO.

Whereas the corporation known as "The President and Directors of the Bank of the State of South Carolina" had become insolvent and its bills had ceased to be current as money prior to the first of January, 1868, and the General Assembly of the State, by an Act entitled "An Act to close the operations of the Bank of the State of South Carolina," ratified the fifteenth day of September, 1868, enacted that all bills issued by said corporation prior to the twentieth day of December, 1860, be funded, and on the surrender and delivery of said bills to the Treasurer of the State bonds of the State shall be issued to the owner of said bills in payment and

redemption of the amount of said bills, and that "the sixteenth Section of the Act ratified the tenth day of December, 1812, entitled 'An Act to establish a bank on behalf of and for the benefit of the State,' and all Acts and parts of Acts which render the bills of said corporation receivable in payment of taxes and all other debts due the State, be, and the same are hereby, repealed." And under said Act one million two hundred and sixty thousand one hundred and thirty-four dollars and seventy cents of the bills of the said bank were funded and bonds of the State issued therefor, and the bills so funded were, by Joint Resolution of the General Assembly, ordered to be burnt and destroyed, and there is reason to believe that said bills were not burnt or destroyed, but have since been fraudulently uttered; and whereas the plates from which the bills of the bank were originally printed are not in the custody of the State, but are, and have been for years past, beyond the limits of the State and in the custody of irresponsible parties, and there is reason to believe that forged bills of the said bank have been fraudulently printed and uttered; and whereas a large amount of the bills of the said bank were, in the years 1861 and 1862, loaned to the government of the Confederate States, and the payment of said bills by the State is prohibited by the Constitution of the State and of the United States; now, for the protection of the State against bills of the Bank of the State which are not genuine, or the payment of which is prohibited by the Constitution, or which have been already funded by the State and have been fraudulently uttered:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurers of the several Counties in the State shall not receive in payment of taxes of the State any bills of the corporation known as the President and Directors of the Bank of the State of South Carolina which are not genuine and valid, or the payment of which is prohibited by the Constitution of the State and of the United States, or which have been funded by the State and since fraudulently uttered. And all bills of said corporation which shall be tendered in payment of any taxes and shall not be received as payment shall be enclosed in a package sealed and signed by the party tendering the said bills and by the Treasurer to whom said tender is made; and said package shall be deposited by the Treasurer with the Clerk of the Court of Common Pleas for the County, who shall give duplicate certificates of said deposit, one to

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Preamble.

County Treasurer not to receive for taxes bills of Bank of State of South Carolina not valid.

Bills tendered but not received to be deposited with Clerk of the Court of Common Pleas.

A. D. 1877.

Proceedings  
to compel re-  
ception of bills  
to be framed  
under direc-  
tion of the  
Judge.

Cause to be  
determined by  
jury.

Burden of  
proof to rest  
upon tenderer.

Bills to be re-  
ceived if jury  
decide them  
genuine; other-  
wise to be can-  
celed.

No costs to  
the State.

Treasurers  
may make  
other defense.

the party tendering said bills and the other to the Treasurer, to abide the decision of the Court in any proceedings which may be instituted in regard to said bills; and that in all proceedings by *mandamus* or otherwise to compel the reception of bills of the said corporation as a legal tender for taxes to the State and refused, an issue shall be framed under the direction of the Judge, and at a regular term of the Court of Common Pleas for the County wherein said bills are tendered shall be submitted to a jury to inquire and determine by their verdict if the bills so tendered in payment for taxes are genuine and valid bills of the said corporation, and have not been funded by the State and since fraudulently uttered, and are bills the payment of which is not prohibited by the Constitution of the State and of the United States. And upon the trial of said issue, the burden of proof shall be upon the person tendering said bills to establish that the said bills are the genuine and valid bills of the said corporation, and have not been funded by the State and since fraudulently uttered, and that said bills are bills the payment of which is not prohibited by the Constitution of the State and of the United States; and if the jury shall by their verdict establish that the bills so tendered are genuine and valid bills of the said corporation, and have not been funded by the State and since fraudulently uttered, and are bills the payment of which is not prohibited by the Constitution of the State and of the United States, then the Treasurer of the County shall receive such bills in payment of all taxes due the State. And if the jury shall by their verdict establish that the bills so tendered are not genuine or valid bills of the said corporation, or that they have been funded by the State and since fraudulently uttered, or that they are bills the payment of which is prohibited by the Constitution of the State and of the United States, it shall then be the duty of the Clerk of the said Court to cancel the said bills in the presence of the Court, and to make a sealed package of the bills and file the same in his office with the record of the case.

SEC. 2. In all proceedings by *mandamus* or otherwise under this Act, no costs shall be taxed or allowed against the State or any officer representing the State.

SEC. 3. Nothing in this Act contained shall preclude the Treasurer of any County from making such other defenses to the proceedings by *mandamus* or otherwise as the nature of the case may require.

SEC. 4. All Acts and parts of Acts inconsistent with or repugnant to this Act are hereby repealed.

Approved June 9, 1877.



AN ACT TO PROHIBIT THE DIGGING, MINING OR REMOVING OF  
PHOSPHATE ROCKS AND PHOSPHATIC DEPOSITS WITHOUT  
LICENSE AND THE PURCHASE OF THE SAME FROM UNAU-  
THORIZED PERSONS.

A. D. 1877.

No. 284.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That every person or corporation who shall dig, mine or remove any phosphate rock or phosphatic deposit from the beds of the navigable streams and waters of the State without license therefor previously granted by the State to such person or corporation shall be liable to a penalty of ten (10) dollars for each and every ton of phosphate rocks or phosphatic deposits so dug, mined or removed, to be recovered by action at the suit of the State in any Court of competent jurisdiction; one-half of said penalty to be to the use of the State, and the other half to the use of the informer.

Penalty for  
each ton mined  
without license

One-half to  
State; other to  
informer.

SEC. 2. That it shall not be lawful for any person or corporation to purchase or receive any phosphate rock or phosphatic deposit dug, mined or removed from the navigable streams or waters of the State from any person or corporation not duly authorized by Act of the General Assembly of this State to dig, mine or remove such phosphate rock and phosphatic deposit.

Not lawful to  
purchase phos-  
phates from  
unauthorized  
persons.

SEC. 3. Any person or corporation violating the preceding Section of this Act shall forfeit to the State the sum of ten dollars (\$10) for each and every ton of phosphate rock or phosphatic deposit so purchased or received, to be recovered by action in any Court of competent jurisdiction; one-half of said forfeiture to be to the use of the State, the other half to the use of the informer.

Penalty.

Approved June 9, 1877.

AN ACT TO CHARTER THE GRANGERS' SAVINGS BANK, OF  
ANDERSON, SOUTH CAROLINA. No. 285.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. W. Russell, John B. Watson, J. Belton Watson, Keenan Breazeale, Joseph Y. Fretwell, William Burriss, W. W. Humphreys, James H. McConnell, William McGukin, Matthew Snipes, James A. Drake, T. B. Lee, Stephen McCully, N. A. McCully, P. K. McCully,

Corporators.

A. D. 1877.	E. M. Rucker, B. D. Dean, Peter R. Brown, D. L. Cox, N. L. Clinkscales, J. E. Breazeale, and their successors and associates, be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The Grangers' Savings Bank, of Anderson, South Carolina," and by that name and style shall be, and are hereby, made capable in law to have, purchase, enjoy and retain to it and its successors lands, rents, tenements, goods, chattels and effects of whatever kind or quality whatsoever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever, and have perpetual
Corporate name.	succession; to have and exercise the rights and privileges of other corporations now existing, or that may hereafter be enacted, and also to make, have and use a common seal, and the same to break, alter and renew at their pleasure, and also to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation.
Rights and privileges.	SEC. 2. That the capital stock of said corporation shall be twenty thousand dollars, to be divided into shares of one hundred dollars each, and may be increased from time to time to a sum not exceeding two hundred thousand dollars, as may be deemed necessary by the Board of Directors.
Capital stock.	SEC. 3. That this association may organize and elect a President and five or more Directors, and may go into operation as soon as twenty thousand dollars of the capital stock shall be paid in: <i>Provided</i> , That the stockholders shall be liable to the amount of the stock held by them respectively.
When may go into operation.	SEC. 4. That the President and Directors shall appoint such clerks and other officers as they may find necessary properly to conduct the business of said company, and allow them suitable compensation; all of which clerks and officers shall hold their places during the pleasure of said President and Directors.
Proviso.	SEC. 5. The mode of voting at the meetings of said company shall be one vote for each share of stock.
Appointment of clerks.	SEC. 6. The first meeting of stockholders of said association shall be on the fourth Monday in September, 1877, and thereafter on the same day of each year shall they hold their annual meeting: <i>Provided</i> , The said stockholders at any regular meeting, or a Board of Directors at any time, may change the day of said annual meeting; and the President and Directors may at any time call a general meeting of the stockholders.
The mode of voting.	SEC. 7. The members of this association shall not be liable for any loss, damage or responsibility other than the property they have
Meeting of stockholders.	
Liability of corporators.	

in the capital and funds of the company to the amount of the shares held by them respectively and any profits arising therefrom not divided.

A. D. 1877.

SEC. 8. That said association shall have power and authority to invest its capital stock or other funds in bank or other stocks, in purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company; to lend money upon personal security or mortgages of real estate, to discount bonds, notes and bills of exchange or other evidences of debt, and use their property in any manner incidental to a banking business or the general business of the association.

Investment  
of funds.

SEC. 9. This Act shall be in full force as soon as the election of President and Directors take place and the capital stock of twenty thousand dollars paid in.

Approved June 9, 1877.

AN ACT TO REVIVE THE CHARTER OF THE WASHINGTON No. 286.  
ARTILLERY, OF CHARLESTON.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Washington Artillery, of Charleston, be revived and extended, with all the rights, privileges, properties and powers heretofore granted.

Charter re-  
vived.

Approved June 9, 1877.

AN ACT TO INCORPORATE THE CAROLINA RIFLE BATTALION, No. 287.  
OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. Irvine Walker, Thomas Frost, Jr., William St. Julien Jervey, James P. Lesesne, Charles R. Holmes, Jr., Henry T. Williams, Grange S. Coffin, Charles R. Valk, Arthur Mazyck, James G. Holmes, Jr., and the several persons who now are or who hereafter may be officers and members of the Carolina Rifle Battalion, and their

Corporators.

A. D. 1877. associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Carolina Rifle Battalion.

Corporate name.

Powers and privileges.

SEC. 2. That the said corporation shall have succession of officers and members according to their elections and its by-laws; and shall have power to make all by-laws not repugnant to the law of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court of this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise, bequest or in any other manner whatsoever, and the same or any part thereof to sell, alien, encumber, mortgage or convey at the will and pleasure of said corporation: *Provided*, That the amount of property, real and personal, so held shall not at any time exceed the sum of ten thousand dollars.

Proviso.

To constitute part of the militia.

SEC. 3. The members of the said battalion shall be divided into two or more companies, and the said companies and battalion shall have such officers as may be prescribed by the militia laws of the State; and the said Carolina Rifle Battalion shall constitute part of the militia of the State and be assigned to such brigade as the Adjutant and Inspector General of the State may determine.

SEC. 4. That this Act shall continue in force for the space of fourteen years, and until the meeting of the next General Assembly thereafter, and that the same be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

Approved June 9, 1877.

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No. 288. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER 'THE TOWN OF ALLENDALE, IN THE COUNTY OF BARNWELL AND STATE OF SOUTH CAROLINA."

Act amended by striking out Section 8.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the town of Allendale, in the County of Barnwell and State of South Carolina," be, and the same is hereby, amended by striking out Section eight and substituting therefor the following:

"That the said Town Council of Allendale shall have power to arrest and commit to the guard house, for a space of time not exceeding ten days, and to fine not exceeding twenty dollars, any person or persons guilty of disorderly conduct or the violation of any of the by-laws or ordinances of the said Town Council; and in case any person or persons so arrested and so fined shall fail or refuse to pay the amount of said fine or furnish good security for the payment thereof within twenty-four hours, the said Town Council are hereby empowered, at their discretion, to put to work during the day and confine in the guard house during the night such person or persons failing to pay or furnish such security, and to compel the continuance of work from day to day until the amount of such fine is paid at fifty cents per day. And the said Town Council shall have power to arrest and commit to the guard house of said town, for a space of time before trial not exceeding twenty-four hours, (Sundays excepted,) any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of the citizens thereof; and it shall be the duty of the Marshal of the town to make such arrests, and to call to his assistance the *posse comitatus*, if necessary; and upon a failure to perform or render such assistance, they shall be fined such sum and be liable to such penalties as the said Town Council may impose; and any person so summoned by the Marshal to aid in such arrest and refusing to render any or proper assistance shall be fined in a sum not exceeding ten dollars or be imprisoned not exceeding five days. And the said Town Council shall have all the powers of Trial Justices or Justices of the Peace of compelling the attendance of witnesses in all trials before them for violation of their laws and ordinances."

A. D. 1877.

Powers of the Town Council. Fine for violating law.

Persons failing to pay fine may be made to work.

Town Council may imprison before trial.

Duty of Marshal.

May call *posse comitatus*.

Fine for refusing to assist Marshal.

SEC. 2. In Section nine, fourth line, by striking out the word "fifteen" and inserting in lieu thereof the word "twenty-five."

Strike out "fifteen" and insert "twenty-five."

And be it further enacted, That the said Town Council may impose, in its discretion, a tax upon all dogs owned within the corporate limits of said town, not exceeding two dollars upon each dog, and may collect the said tax as other town taxes are collected; and, in default of payment, shall have power, and the same is hereby conferred upon the said Council, to impound the dogs for the space of two days, and then, if the said tax be not paid, the said dogs may be killed, under the direction of the Intendant of said town: *Provided*, That no dog shall be killed until one day's notice has been served upon the owner thereof.

Dogs to be taxed.

Approved June 9, 1877.

A. D. 1877. **AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO CHARTER  
THE TOWN OF HAMBURG," APPROVED FEBRUARY 28, 1871.**  
No. 289.

Charter of  
Hamburg re-  
pealed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the town of Hamburg," approved February 28th, 1871, and all Acts and parts of Acts and resolutions and parts of resolutions amendatory thereto be, and the same are hereby, repealed.

All Acts in  
conflict with  
this repealed.

SEC. 2. That all Acts and parts of Acts and resolutions and parts of resolutions inconsistent to or conflicting with this Act be, and the same are hereby, repealed.

To take effect  
immediately.

SEC. 3. That this Act shall take effect from and after the date of its passage.

Approved June 9, 1877.

No. 290. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE  
THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE  
CITY OF COLUMBIA."**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the appointment and salary of Trial Justices in the city of Columbia," approved February 23, 1875, be, and the same is hereby, amended by striking out all of Section 1 after the word "Senate," in the fourth line, and inserting the following: "Two Trial Justices for the city of Columbia, and no more, to hold their offices for the term of two years, unless sooner removed by the Governor." And by striking out all of Section 2, after the word "business," on the third line, and insert the following: "and in locations convenient to the people." And by striking out the words "two constables," in the second line of the fifth Section, and inserting in lieu thereof the words "one constable."

Act amended.  
Two Trial Justices.  
Term of office.  
Further amendment.  
To take effect immediately.

SEC. 2. This Act shall take effect immediately after its passage.

Approved June 9, 1877.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT ADDITIONAL TRIAL JUSTICES FOR UNION, GREENVILLE AND MARION COUNTIES."

A. D. 1877.

No. 291.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize the Governor to appoint additional Trial Justices for Union, Greenville and Marion Counties," approved December 22d, 1875, be, and the same is hereby, amended, so far as the same relates to Greenville County, by striking out the word "one," in the fifth line thereof, between the words "and" and "for," and inserting in lieu thereof the word "two."

Act amended as relating to Greenville County by inserting "two" in lieu of "one."

Approved June 9, 1877.

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS WITHIN THREE MILES OF RIDGE SPRING BAPTIST CHURCH, IN EDGEFIELD COUNTY. No. 292.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sale of intoxicating liquors within three miles of Ridge Spring Baptist Church, in Edgefield County, be, and the same is hereby, prohibited.

Sale of liquor prohibited near Ridge Spring Baptist Church.

SEC. 2. That upon the conviction of any one who shall violate the provisions of this Act, he shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding six months, at the discretion of the Court.

Approved June 9, 1877.

AN ACT TO INVESTIGATE AND ASCERTAIN THE ACTUAL BONA FIDE INDEBTEDNESS OF THE VARIOUS COUNTIES IN THIS STATE, AND TO REGULATE THE MANNER OF PAYING THE SAME. No. 293.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon

A. D. 1877.

Upon petition of taxpayers, Governor to appoint Commission to investigate the debt of such County.

Commission shall report; to whom.

Commission may send for persons and papers.

Pending said investigation no special tax must be levied.

Compensation allowed.

the petition of fifty taxpayers of any County in the State, stating that said County is in debt, and that the validity of said debt or some portion thereof is doubted and challenged, it shall be the duty of the Governor of the State to appoint a Commission, consisting of three competent and discreet citizens of said County, to investigate and ascertain the true and real *bona fide* indebtedness of said County, who shall report in writing to the Board of County Commissioners a statement of said *bona fide* indebtedness, and shall also report to the General Assembly at its next session the amount of said *bona fide* indebtedness.

SEC. 2. That the said Commission shall have the power to send for persons and papers, be authorized to swear witnesses, and to call all persons having claims to appear before it and establish such claims, after due and sufficient notice, by publication of thirty days in the paper of said County; that pending said investigation the proper officers of said County and Counties are hereby directed and restrained from levying and collecting any special tax for the payment of the said past County debt created prior to the first day of November, A. D. 1876.

SEC. 3. That the members of said Commission shall each be entitled to receive two dollars per diem for each day actually employed in such work, not to exceed in all thirty days.

Approved June 11, 1877.



## JOINT RESOLUTIONS.

A. D. 1877.

JOINT RESOLUTION TO ALLOW AUGUSTINE T. SMYTHE, OF No. 34.  
 CHARLESTON COUNTY, TO REDEEM CERTAIN FORFEITED  
 LANDS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Augustine T. Smythe, of the County of Charleston, be, and he is hereby, allowed to redeem certain lands now owned by him in said County, consisting of a lot of land, with the brick buildings thereon, known as number five Broad street, in the city of Charleston, in the County of Charleston aforesaid, formerly returned upon the tax books for said County in the name of the estate of Wm. M. Martin, and thereafter one-half interest in the name of J. H. Wilson, minor, and the other half interest in the name of E. J. Martin, upon condition that he, the said Augustine T. Smythe, shall pay over to the County Treasurer of Charleston County all taxes, penalties and costs which are due upon the same, in accordance with the provisions of an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act to provide for the redemption of forfeited lands upon certain conditions therein mentioned,'" approved April 13, 1876, and the Acts amended thereby, save and except only as to the time limited in said Acts within which such redemption should be made; after which the County Treasurer shall expunge the said lands from the forfeited land record of the County of Charleston.

Augustine T. Smythe to redeem certain forfeited lands.

Conditions.

County Treasurer to expunge the same from forfeited land record.

Approved May 23, 1877.

JOINT RESOLUTION TO REPEAL SPECIAL TAX LEVIED ON No. 35.  
 EDGEFIELD COUNTY.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution, approved December 22, 1873, entitled "Joint Resolution to authorize the County Commissioners of Edgefield County to levy a special tax of three mills, to be levied at the time of the general tax," be, and the same is hereby, repealed.

Special tax repealed.

Approved May 23, 1877.

A. D. 1877.

No. 36.

JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED 'A JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE.'"

Trustees  
changed.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled "Joint Resolution to amend a Joint Resolution entitled 'A Joint Resolution to appoint trustees under the will of the late Dr. John De La Howe,'" approved January 21, 1875, be, and the same is hereby amended by striking out the name of "J. C. H. Turner," in the ninth line of said Joint Resolution, and inserting the name of "David Morrah" in lieu thereof, and by striking out the name of "James Wharton, Esq.," in the tenth line thereof, and inserting the name of "Dr. A. T. Wideman" in lieu thereof.

Approved May 31, 1877.

No. 37. JOINT RESOLUTION TO PROVIDE FOR A REORGANIZATION OF THE UNIVERSITY OF SOUTH CAROLINA AND OF THE STATE NORMAL SCHOOL.

Preamble.

Whereas experience has demonstrated that the existing methods of conducting the University of South Carolina and the State Normal School are impracticable and unnecessarily expensive, and that the results attained under them are commensurate neither with the liberal design of the Legislature nor with the hopes of the people who are taxed for the maintenance of these institutions of learning; and whereas sound public policy manifestly dictates the expediency of placing these and similar institutions, as far as may be practicable, upon such a basis as will enable them to afford the largest possible educational advantages to all classes of citizens at an outlay compatible with the present embarrassed condition of the finances of the State; therefore,

Governor to  
assume control  
of property of  
State University  
and to appoint  
a manager of same.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That His Excellency the Governor be, and he is hereby, directed to assume control of all the property, real and personal, of the State University and Normal School now belonging to and used by these institutions

and to place the same in the custody and under the management of some discreet and competent person, who shall have the power, by and with the advice and consent of the Governor, to rent the dwelling houses thereof to suitable tenants and use the proceeds arising from such rentals in keeping all the property in good condition and repair and in compensating himself for his services in this regard: *Provided*, That such compensation shall be determined by the Governor, and that an itemized account of the receipts and expenditures herein contemplated shall be transmitted, through the Governor, to the General Assembly, at its next regular session, and annually thereafter until it shall be otherwise ordered by the Legislature.

A. D. 1877.

Buildings to be rented and kept in repair.

Compensation

Report to be made to General Assembly.

SEC. 2. That His Excellency the Governor and the Board of Trustees, who, together with the Chairman of the Committees on Education of the Senate and of the House of Representatives, respectively, shall constitute a Commission to inquire into and devise plans for the organization and maintenance of one university or college for the white and one for the colored youths of the State, which said universities or colleges shall be kept separate and apart, but shall forever enjoy precisely the same privileges and advantages with respect to their standards of learning and the amounts of revenue to be appropriated by the State for their maintenance. This Commission to report by Bill or otherwise at the next regular session of the General Assembly and to receive no compensation for the services of its members.

Commission to organize University.

Separate colleges for white and colored youths; both to enjoy equal advantages.

Commission to report to the next General Assembly.

SEC. 3. That said Commission shall suggest such measures as they may deem necessary to secure a more economical management of said institutions and to consolidate where practicable the different departments thereof.

Economical management to be secured.

Approved June 7, 1877.

# JOINT RESOLUTION TO AUTHORIZE THE GOVERNOR TO EFFECT A LOAN. No. 38.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be authorized to borrow on the credit of the State the sum of one hundred thousand dollars, if so much be necessary, in anticipation of the taxes to be collected under the Act to raise supplies for the current fiscal year, on such terms as he deems advisable.

Governor authorized to borrow \$100,000.

Approved June 7, 1877.

A. D. 1877.  
No. 39.

JOINT RESOLUTION TO APPOINT A COMMISSION TO INVESTIGATE THE SALE OF THE COLUMBIA CANAL.

Members of  
Commission.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Commission consisting of the Attorney General and three members of the General Assembly, two of whom to be appointed by the Speaker of the House and one by the President of the Senate, be raised for the purpose of investigating the sale of the Columbia Canal and its appurtenances by a Commission of this State.

Inquiries to  
be made by the  
Commission.

SEC. 2. That it shall be the duty of said Commission to inquire into the manner of said sale, the consideration received by the State therefor, and whether or not the State is bound thereby; and also to inquire whether the purchasers have duly complied with the conditions of said sale, and whether the title to the said property has not reverted to the State by reason of the non-compliance with the conditions of said sale.

Powers of  
Commission.

SEC. 3. That said Commission shall have power to call for persons and papers, and to administer oaths to witnesses before them; and that a majority of the members of the said Commission shall have power to act in all cases.

Must investi-  
gate without  
delay and re-  
port.

SEC. 4. That such Commission shall conduct said investigation without delay, and report the result to the Governor, to be by him transmitted to the General Assembly, and that until the meeting

Governor to  
protect inter-  
est of State.

of the General Assembly the Governor is authorized to take such action on the report as may be necessary to protect the interest of the State and others.

Approved June 7, 1877.

No. 40. JOINT RESOLUTION DIRECTING AND REQUIRING THE STATE TREASURER TO PAY OVER WHATEVER SUMS OF MONEY MAY BE DUE TO THE LATE CHIEF JUSTICE MOSES, ON ACCOUNT OF HIS SALARY AS CHIEF JUSTICE, TO HIS WIDOW.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, directed and required to pay from the proceeds of the taxes for the fiscal year commencing November 1st, 1876, to the

widow of the late Franklin J. Moses, Chief Justice of the Supreme Court of the State, whatever sum or sums of money may be found due by the State on account of his salary as Chief Justice as appears by the Treasurer's books.

A. D. 1877.

Salary due  
the late Chief  
Justice Moses  
to be paid to  
his widow.

Approved June 7, 1877.

JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF THE TOWN OF SUMTER TO OPEN SUCH NEW STREETS AS IN THEIR JUDGMENT THEY DEEM NECESSARY, UPON THE SAME TERMS AS ARE NOW CONFERRED ON COUNTY COMMISSIONERS OF COUNTIES. No. 41.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant and Wardens of the town of Sumter be, and are hereby, authorized and empowered to open such new streets in said town as in their judgment will best promote the interest and convenience of the citizens thereof, upon the same terms and conditions and in the same manner as is now provided by law for the opening of public highways by the County Commissioners of Counties. New streets to be opened.

Approved June 8, 1877.

JOINT RESOLUTION TO RESCIND A JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF CERTAIN MONEYS TO THE LATE COUNTY COMMISSIONERS OF DARLINGTON COUNTY. No. 42.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution providing for the payment of certain moneys to the late County Commissioners of Darlington County, approved March 26, 1875, be, and the same is hereby, rescinded. Joint Resolution rescinded.

Approved June 8, 1877.

A. D. 1877. **JOINT RESOLUTION REQUIRING CERTAIN REPAIRS TO BE  
MADE UPON THE ROOF OF THE STATE HOUSE, AND TO  
REPAIR THE FENCING AROUND THE SAME.**  
No. 43.

Secretary of  
State author-  
ized to receive  
bids.

Manner of  
paying for re-  
pairs.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Secretary of State be, and he is hereby, authorized to receive bids for repairing the roof of the State House, said bids not to exceed one hundred (100) dollars. That upon the completion of the said work the State Treasurer be, and he is hereby, authorized to pay the amount due the party doing the work out of any money in the Treasury not otherwise appropriated.

Fence to be  
rebuilt by con-  
vict labor.

All available  
material upon  
the grounds to  
be used.

Appropriation  
for additional  
material.

SEC. 2. That the fence around the State House be repaired and rebuilt as soon as possible, under the superintendence of the Secretary of State, by such convict labor in the State Penitentiary as may be profitably employed in such work. That all the material upon the ground available for such repairing and rebuilding be used for these purposes; and that the sum of two hundred dollars, if so much be required, be appropriated for the purchase of such additional material as may be necessary, to pay for the same.

Approved June 8, 1877.

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No. 44. **JOINT RESOLUTION TO RAISE A COMMISSION TO INVESTIGATE THE INDEBTEDNESS OF THE STATE.**

In view of the great uncertainty that exists in the minds of the property owners and tax-paying portion of our people as to the real and definite amount of the true and valid indebtedness of the State and the character of the obligations out of which the indebtedness has grown, and of the equally unsatisfactory condition of the credit of the State as long as any doubt or suspicion attaches to claims held against her; and in order to give reasonable assurance to the honest creditor, on the one hand, that the State intends to faithfully meet her obligations at as early a date as practicable, and, on the other hand, to satisfy the taxpayer that the General Assembly will have proceeded intelligently in whatever steps may be taken to adjust and provide for the public debt; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, in

accordance with that portion of His Excellency's message touching this subject, a Commission, to consist of three members of the Senate and four members of the House of Representatives, shall be elected by each House respectively.

A. D. 1877.

Commission to be appointed.

SEC. 2. It shall be the duty of said Commission to make a complete and thorough investigation of the following and kindred matters, to wit: First, the entire amount of consolidated bonds and certificates of stock that have been issued under the Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873, so as to show, under proper heads and classifications, the number in the series, the letter, date of issue, date of redemption, denomination, rate of interest, by whom signed and countersigned and to whom issued. Second, whether there is in the State Treasurer's office on file, as vouchers, cancelled bonds, coupons and certificates of stocks of the issues described, issued in accordance with law and authorized to be consolidated by the Act above recited to the amount required by said Act.

Duty of commission.

SEC. 3. Should it appear to the Commission, in the course of the investigation, that any of said bonds, certificates of stock or coupons have been illegally or otherwise improperly issued, it shall report the same, together with the evidence upon which the illegality or nonconformity to law rests.

To report illegal bonds and certificates of stock.

SEC. 4. The Commission is hereby authorized to require the holders of said bonds, coupons and stock to produce the same for inspection before the Commission in Columbia. Such as shall be found to have been issued according to law and that are valid *bona fide* bonds, coupons and stocks shall be registered by their number, letter, denomination and such other distinctive titles as may be best suited to the object in view, and shall be certified as correct in such form as the Commission may deem proper.

Holders of said bonds to produce same before commission in Columbia.

Valid bonds to be certified as correct.

SEC. 5. The Commission shall have full power and authority to send for persons and papers, and to administer oaths; and false swearing by or before said Commission shall be indictable and punishable as perjury.

Powers of commission.

Penalty for false swearing.

SEC. 6. The Comptroller General and Treasurer are hereby authorized and required to co-operate with said Commission when called upon.

Comptroller and Treasurer to co-operate with commission.

SEC. 7. The Commission shall be authorized to sit during the recess of the General Assembly.

Commission to sit during recess of General Assembly.

SEC. 8. The compensation of the Commission shall be a per diem of five dollars each.

Compensation of commission.

A. D. 1877.

Commission  
to investigate  
floating debt of  
State.

SEC. 9. It shall also be the duty of said Commission to investigate the amount and character of the floating indebtedness of the State and make a report thereon in detail.

SEC. 10. That said Commission shall have power to report any special matter.

Oath of com-  
missioners.

SEC. 11. That before said Commission shall enter upon its duties, each of the Commissioners shall first take and subscribe the following oath, to wit: "I solemnly swear that I am not now, nor was I at the date of my appointment as Commissioner, directly or indirectly interested in any bonds or other evidence of State indebtedness to come before me as Commissioner; nor am I, or will I become, the attorney or legal representative of any party interested in any such bonds or evidence of indebtedness; and, further, that I will honestly, fairly and to the best of my ability perform the duties of Commissioner as required by the Joint Resolution under which I was appointed: So help me God."

Commission  
to report to  
next General  
Assembly.

SEC. 12. That said Commission shall make a report to the General Assembly at the next regular session, during the first week of said session.

Approved June 8, 1877.

No. 45. JOINT RESOLUTION AUTHORIZING AND REQUIRING THE ATTORNEY GENERAL TO INQUIRE INTO THE MATTER OF THE PHOSPHATE COMPANIES OF THE STATE, WITH A VIEW TO DEFINE AND PROTECT THE INTEREST OF THE STATE THEREIN.

Speedy inquiry  
to be made  
into charters of  
phosphate  
companies.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney General, as speedily as possible, inquire into the matter of the several charters heretofore granted to the phosphate companies in the State, with a view to define and protect the rights and interests of the State therein; to consider and determine the necessity, if such exist, of repealing the charters of some or all of the said companies; and that he report the result of his investigations to the General Assembly at its next session.

Report to be  
made to next  
General As-  
sembly.

SEC. 2. That the Attorney General be also instructed to ascertain what amount is due to the State for royalty by any of the companies or individuals authorized to dig, mine and remove phosphate rock



and phosphatic deposits from the navigable streams and waters of the State, and which should have been collected by the persons who were inspectors at the time said royalties became due, and to institute proceedings against the companies or individuals by whom such royalty is due, to recover the same for the use of the State. And that for this purpose the Attorney General be invested with all the powers given to the Inspector of Phosphates in the Act to provide for the appointment of an Inspector of Phosphates and to declare his duties.

A. D. 1877.

Proceedings  
to be instituted  
to recover roy-  
alties due the  
State.

Attorney Gen-  
eral invested  
with powers of  
Inspector of  
Phosphates.

SEC. 3. That all necessary expenses incurred by the Attorney General in carrying out the provisions of the Resolution be paid out of the commissions upon the amounts recovered; and if such commissions should be insufficient for the payment, then the balance of such expenses to be paid out of the contingent fund appropriated for the use of the Attorney General or from the phosphate royalty not otherwise appropriated.

Manner of  
paying the ex-  
penses of the  
Attorney Gen-  
eral.

Approved June 9, 1877.

JOINT RESOLUTION TO DECLARE VALID THE RECORDING  
OF CERTAIN CONVEYANCES RECORDED WITHOUT THE EN-  
DORSEMENT OF THE COUNTY AUDITOR.

No. 46.

Whereas the Clerks of Court and Register of Mesne Conveyance of each County are required to have the endorsement of the County Auditor on each and every deed of conveyance for real property before the same can be recorded in the office of the said Clerks of Court or Register of Mesne Conveyance; and whereas for some time past there has been no County Auditors in the several Counties:

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all conveyances of real estate which have been recorded by the Clerk of Courts and Register of Mesne Conveyance of the several Counties since the 14th day of December, 1876, without the endorsement of the Auditor of the County be, and the same are hereby, declared to be as valid and binding, to all intents and purposes, as if the said conveyance had been endorsed by the Auditor of the County, as required by law.

Conveyances  
recorded since  
December 14,  
1876, without  
endorsement of  
County Auditor  
hereby de-  
clared valid.

A. D. 1877.      SEC. 2. That each and every Clerk of Court and Register of  
Mesne Conveyance is hereby relieved from all liability or penalty  
for the recording of such conveyances without the endorsement of  
the County Auditors thereon.

Approved June 9, 1877.

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INDEX TO ACTS AND JOINT RESOLUTIONS,  
1877.

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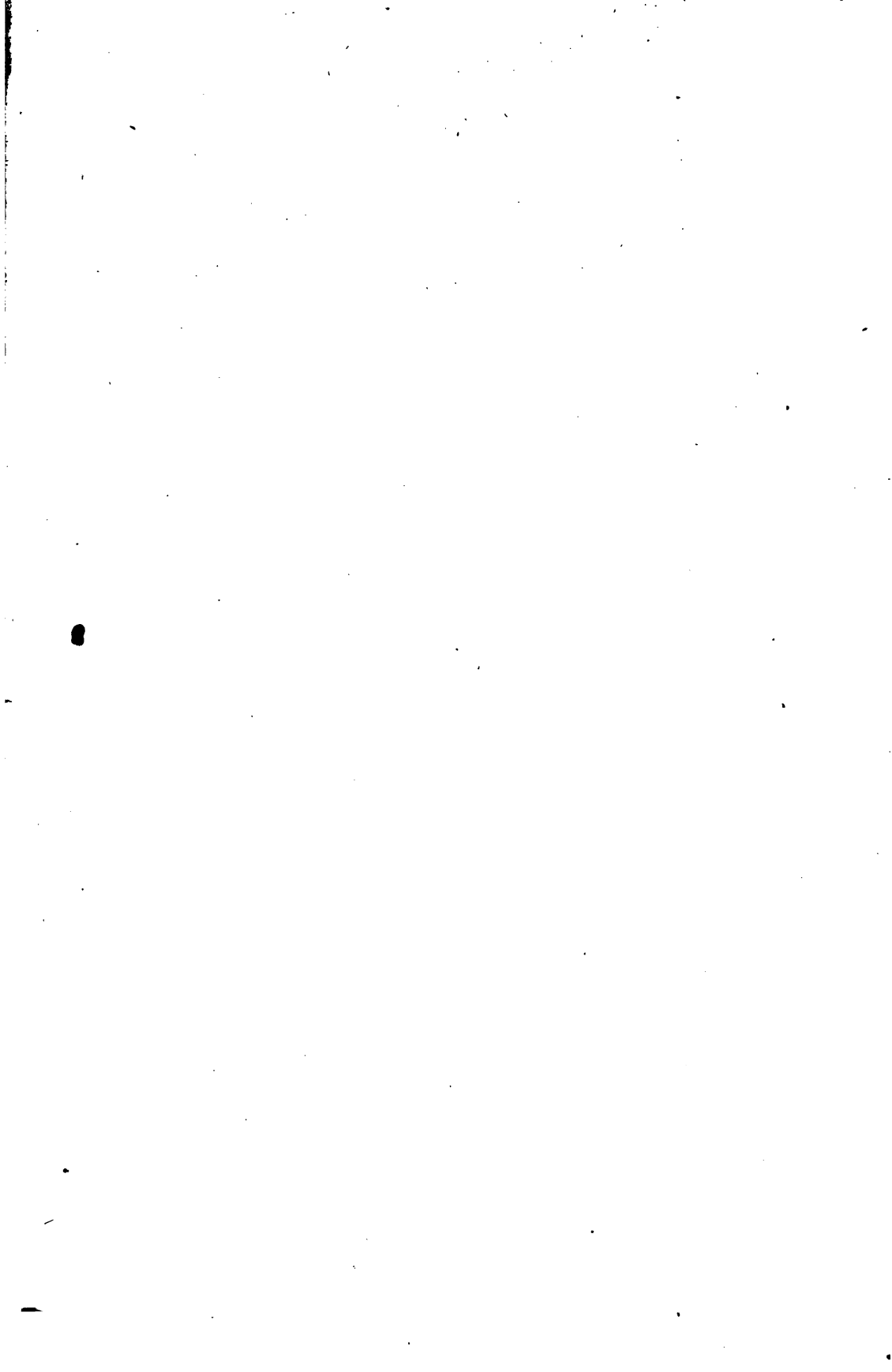
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